THE DAILY MEMPHIS AVALANCHE.

By M. C. Gallaway & Co. MEMPHIS, FRIDAY, MARCH 27, 1868. (Volume Eleven---Number 69.

THE DAILY AVALANCHE.

The railroad bridge over the Holston, at Knoxville, has been completed.

Impeachment will cost at the rate of one hundred millions per annum.

Brownlow did not go to Washington—he will go by there when he dies.

Brick Pomeroy is said to have decided on removing to Chicago or Cincinnati.

General Reynolds has assumed command at New Orleans instead of General Hancock.

The prospects of the fruit crop are remarkably fine everywhere.

General Grant's income is $30,000. Before the war, when he was packing green hides, it was $500.

The rumor is again afloat that the President intends resigning before the conclusion of his trial.

It is now reported that Mr. Seward has promised the Mission to St. Petersburg to General Banks, but the report lacks confirmation.

Forty Pennsylvania emigrants passed through Nashville, Tuesday, en route for McMinnville.

From all that we can learn the wheat of Middle Tennessee will be even more than an average crop.

At the urgent solicitations of Secretary Seward, Mr. Sumner will endeavor to have the Prussian treaty ratified immendiately.

The sum total of lives lost by the Magnolia is now estimated at the appalling figure of eighty nine.

An exchange says: "Memphis has four dailies, the *Appeal, Bulletin, Ledger and Hunter-lanche.*"

Brownlow pardoned out four more convicts from the penitentiary Monday. He has an eye to recruiting his militia.

The Ways and Means Committee has finally determined to retain the two dollars tax on whisky.

Brigham Young is a widower. He is five widowers—for that many of his wives died last winter of pneumonia.

Admiral Farragut will be obliged to remain at home four or five weeks in consequence of a severe abcess, which has broken out in his leg.

Less cotton and more mixed crops will be put in this year than was ever before known. This is particularly the case in the vicinity of Memphis.

The ladies will thank the Boston inventor who has contrived a method of lacing shoes on metal studs instead of the laborious lacing of the old style.

Thomas Rabola, a German and journeyman tailor, aged twenty-eight, committed suicide, near Louisville, Monday, by hanging; cause, out of work, and heartless relatives.

Telegrams received from Cuba, St. Thomas, St. Domingo, and Porto Rico, state that three strong shocks of earthquake had occurred at St. Thomas, and business was paralyzed.

Harry Gurr, who proposed to leap from the suspension bridge at Cincinnati, into the Ohio river, on a bet, has been refused permission to do so by the authorities.

A Confederate ghost sent the editors of the *North Alabamian* a Ku Klux order and enclosed twenty dollars in Confederate money to pay the printing. He says it passes in the moon at par.

A labor university for colored people is to be established near Murfreesboro. If any body expects to entrap a darkey into a place where any hard work is to be done, they will find out that they are mistaken.

Dispatches from Rome state that Admiral Farragut continues to receive distinguished attention faom the Papal Government, and is overwhelmed with invitations to public receptions, which, in his disabled condition he is compelled to decline.

Additional particulars of affairs in Japan have been received. The country was quiet. The rebellion of the Tycoon had been effectually suppressed, and there was reason to hope for a strong government in conjunction with Mikado, the spiritual Emperor.

Mrs. Chapman Coleman is about to write a biography of her honored father, the late Hon. John J. Crittenden. Any person having any information about him likely to be of public interest is asked to address it to her at Baltimore.

The court house at Greensboro, Alabama, was fired on Saturday night last, but there was no damage done. A fire broke out in the business portion of Talladega. The place was still burning at nine o'clock p.m. No particulars.

A man giving his name as Haywood Oakley, and claiming to hail from Memphis, as all thieves do outside of Memphis, was arrested in Montgomery, Alabama, last Monday, on the charge of being a horse thief artist from North Carolina.

McNair, the "loil" Representative of Gibson county, Tennessee, has sued his own father for one hundred and eighty dollars, for nursing a younger brother who had the small pox in Nashville. He obtained a judgment, but the old gentleman took an appeal. He is fit for Congress.

In the Richmond convention yesterday an amendment to disfranchise all who voted for an avowed secession candidate to the seceding convention was indefinitely postponed. The iron-clad for all office holders was adopted by a vote of forty to thirty-two.

Judge Moore, of the Dallas Circuit Court, in session at Selma, received an official notice yesterday that unless he orders his jurors to be drawn from the list of registered voters without regard to color, he would be promptly removed from office.

Judge Clifford, of the Supreme Court, decided at Washington yesterday that tax upon deposits held by a saving box is not tax on securities, on which they are invested; tax on deposits accrue; whether they are invested

EXTRAORDINARY LAWSUIT.

A Man Sues His Father, Mother and Brother-in-law for the Recovery of His Wife.

Conspiracy to Obtain Divorce and Second Marriage.

Phases of Chicago Civilization.

[From the Chicago Tribune.]

A proceeding in law of a somewhat novel character was yesterday commenced in the Circuit Court. It was commenced by a *capias* under which the plaintiff, one Fayette Lincoln, until recently a resident in the town of Palatine, seeks to recover damages from his father, mother, and brother-in-law, a young man named George Ball, for alienating the affections of his wife from him with a view to procuring a divorce from him, so that she may advantage herself of a desire on the part of another man to marry her. The intention is to prosecute an action on the case, the damages to be laid at five thousand dollars.

The statement of the plaintiff, as set forth in his affidavit, to hold to bail, disrobed of its formal clauses, is as follows: He complains of B. J. Bennet, Susan M. Bennet, Lucien E. Bennett and George Ball; the first three the relatives of his wife, and the other charged as a co-conspirator. He states that he was duly married to Emma F. Bennet on the 22d day of March, 1865, and that to about October last they lived together mutually happy and contented, he maintaining his household to the extent of his means and supporting her in a condition adequate to the amount of their worldly prosperity. During that space of time, at her desire, he had afforded means for her education in ladylike accomplishments. The wife, however, he alleges, desired to avail herself of greater facilities for acquiring a polished education. She sought to leave their then home in the suburbs, that she might attend school in the city, and board with her parents while she was a scholar. To this Lincoln says he assented, and during October last she, as well as her brother Lucien, one of the defendants, have lived in Chicago, at their parent's domicil. He has also, he avers, since disposed of his farm at Palatin for less than it was worth, to please his wife, who early evinced a desire for city life and associations.

He charges that since this date, when he let his wife come to this city, her mother (the Susan of his complaint) has entered upon a course of defamation and insult, with a view to bring about a permanent separation between him and his wife. He has been, he says, allowed but unfrequent interviews with his wife, who, however, availing herself of other means, frequently communicated with him in terms of great affection for him, but with words denunciatory of her maternal parent, whom she accused of ill treatment and abuse toward her. These communications, he says, almost invariably expressed the desire, as well as the intention, to return to him.

This action is brought upon a somewhat altered state of affairs. The complaining husband says that while he has been assenting to his wife's better education, her mother and the defendant, Ball, have concocted a divorce from him and a marriage to Ball; a matrimonial union which the relatives think more eligible than that which binds her. To this end it is charged that, with the consent of the wife's father, and with the assistance of her brother, reports have been scattered broadcast among his acquaintances derogatory of his character, as well as that there has been, by a series of letters, an attempt made to induce him to leave the State.

He believes this attempt was to enable a bill for divorce to be filed, so that, as is usual, a default might be taken and a decree rendered by default, where the defendant Ball would step in and upon pretext of his (plaintiff's) desertion induce his wife to marry him (Ball). It is charged in the proceeding that the brother Lucien is active in all this. That he has written letters, and, at one time, proposed to plaintiff to leave the State, when he would inform him how to regain his wife's love, if he would go out of Illinois to learn news; that at another time he proposed to join him in a mining speculation in Omaha, provided three hundred dollars was advanced to pay all expenses. It is charged generally that Ball wants to marry Mrs. Lincoln, and brother, mother and father are helping him in his endeavor to procure her for a wife.

Horse Flesh.

[From the Turf, Field and Farm.]

Now that Paris and London epicures have turned their attention to horse flesh, and that horse banquets have become the sensation of the day, we may look forward to the time when broken down horses will pass from the street to the butcher shop, and from the butcher shop to the kettle or oven. A novelty is always popular, provided it is properly introduced, and since horse meat has been washed down with copious draughts of wine around banquet boards in London as well as Paris, prestige has been given to it, and the fashion doubtless will become general in time. Horse flesh as an article of human diet is not a new innovation, as in several parts of Asia wild horses are killed almost exclusively for food; and it is said that the Calmuc Tartars are so partial to this kind of flesh that they seldom eat any other. Horse flesh, years ago, was constantly, as it is now, exposed for sale in the markets of Toumen. The Tartars are not satisfied with the flesh of equine steeds alone; they go further, and drink the milk of the mare, and when the milk is abundant they convert it into butter and cheese. Whether we shall establish horse daries, when horse flesh becomes a regular article of table diet, is a question that time will answer. Civilization goes backward in more ways than one; at least in many instances it goes to barbarous countries for novelties, and adopts the customs of barbarians. In view of this fact, is not our boasted progress all a sham? Civilization, according to modern interpretation, is simply the introduction of a new novelty when the old one has become stale; and for a supply of novelties we constantly go to countries and peoples that make no pretentions to what we call enlightment. Civilization, at best, is an artificial state, for which reason what may be regarded as established natural habits often are recognized by it as something entirely new. Though horse flesh has long been relished as an article of food by some people, it is new to us, who live within the pale of civilization, as a table diet; therefore we will learn to have it served up in soups, broils and roasts, even if the value of our equine breeds is not increased thereby.

ALABAMA ITEMS.

General Longstreet was in Moulton last week, on his way to Huntsville, where he intends to locate.

The Tuscumbia Male Academy, under the superintendance of Captain J. H. Bowers, is making as sure and speedy progress as the condition of the country will permit.

The Tuscumbia *Times* says: We have made diligent inquiry of the farmers in Colbert and Franklin counties, and they assure us that the prospect for good crops of wheat is promising. The crops which were put in late, have suffered some from the hard winter; but these are better than at first expected.

The Sabbath schools of Tuscumbia intend having a celebration on or about the first of May.

The spring term of Circuit Court for Colbert county, commenced Monday. Hon. William B. Wood, Judge; Alexander McAlexander, Solicitor; James Ligon, Sheriff; Joseph B. Skidmore, Clerk. There are about four hundred cases on the docket, which will keep the

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OF ST. LOUIS, MO.

$500,000 IN PRIZES

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Price of Certificates, $5 Each

Splendid Fortunes for Somebody

Awarding of Prizes on June 1,'68

AT

MERCANTILE LIBRARY HALL

ST. LOUIS, MISSOURI.

FIRST PRIZE.

The PASCHALL HOUSE, corner of Fifth and Walnut streets, St. Louis, Mo.; Lot 57 feet front by 127 deep, has four stories, sixty fine rooms; also, five elegant stores. These, together with the Hotel, are bringing a rent of $9,600 per annum. This magnificent house, with furniture complete, is

VALUED AT......$280,000

SECOND PRIZE.

An elegant Three Story Double Brick Residence, with three and a half acres of ground, in the city of Memphis, Tennessee, one mile from Court Square. House splendidly finished, with all modern improvements Grounds finely laid out with shrubbery, etc. Fine stables, outbuildings, etc.; all in complete order, and

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THIRD PRIZE.

A handsome Three Story Brick Residence, No. 1515 Chestnut street, between Fifteenth and Sixteenth streets, St. Louis, Missouri, containing twelve rooms, elegantly finished throughout, with all modern improvements complete; Lot 21½ by 109½ feet deep,

VALUED AT......$18,000

FOURTH PRIZE.

The fine Mansion of the late Judge R. W Wells, Jefferson City, Missouri, Two Story Brick and Frame, fifteen elegant rooms, and finished throughout with all modern improvements; Lot 135 feet front on High street by 200 feet deep. Grounds finely laid out, terraced, flower beds, etc.

VALUED AT......$18,000

IX MORE PRIZES.

Consisting of Fine Brick Residences in the city of St. Louis, Missouri, situated: No. 728 South Eighth street, 730 South Eighth street, 1427 Morgan street, 1412 Morgan street, 714 and 716 Chouteau avenue.

VALUED AT......$79,000

250 PRIZES

From the firm of BOOGHER BROTHERS, Watchmakers and Jewelers, No. 106 South Fifth street, under the Southern Hotel, where samples of the goods may be seen, consisting of one elegant Solid Silver Service, worth $1,500; Solid Silver Goblets, Plated Tea Sets, Ladies' and Gentlemen's Gold Watches, French Mantel Clocks, Fancy Silver Pieces, Fine Jewelry, etc.

ALL VALUED AT......$15,000

120 PRIZES

In Fine Sewing Machines, of various patterns, ranging in price from $65 to $150, of the best manufacture, and

VALUED AT......$10,000

100 PRIZES IN CASH.

$100 EACH......$10,000

20 PRIZES OF FINE PIANOS

From the St. Louis Piano Manufactory, ranging in price from $450 to $650 each. Samples can be seen at the rooms of the Company, corner of Fifth and Walnut streets, under the Paschall House.

VALUED AT......$10,000

MAKING IN ALL

500 SPLENDID PRIZES

Ranging from $10 to $280,000 each, and

VALUED AT $500,000.

FIVE THOUSAND DOLLARS

Will be Donated to the Orphans of St. Louis, Mo

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A suitable Committee of Responsible Gentlemen will be selected to conduct the drawing and awarding of the prizes, on the day appointed, at MERCANTILE LIBRARY HALL, on the following plan:

One hundred thousand numbers, represnting the Certificates issued, will be placed in one wheel, and five hundred tickets, inscribed with the names of the prizes, to wit: "Paschall House," etc., will be placed in another. From these wheels a number and a prize will be drawn at the same time and the number drawn will take the prize drawn with it.

The prizes will be ready for delivery upon the result of the award being known, and the persons by whom the ten real estate prizes are drawn, will receive deeds to the same, with title clear and unencumbered.

All money received upon the sale of these Certificates will be placed in responsible banking houses of St Louis, Missouri, where it will remain, to the credit of the Association, until after the drawing takes place.

References given by Permission

Aull, Pollard & Renick, Bankers, St Louis.
Daniel G. Taylor, ex-Mayor of St. Louis.
Butchers' and Drovers' Bank, St. Louis.
Peoples' Savings Association.
Edward S. Plummer, Memphis, Tennessee.
Boatmen's Saving Institution, St. Louis, Mo.
John H. Andrews, ex Sheriff of St. Louis county, Mo.
Laveille, Warner & Co., proprietors Southern Hotel, St. Louis, Mo.
Jules Valle, of the firm of Chouteau, Harrison & Valle.
Erastus Wells, President Accommodation Bank, St. Louis.
Honorable William Taussig.
Charles F. Meyer.
A. Krieckhaus, President City Council.
Joseph Deggendorf, City Controller.
G. W. Dreyer.

No person will be authorized to sell Certificates for the Association, or be recognised as an agent, unless holding a certificate to that effect from the Manager of the Association.

NOTICE.

Persons ordering Certificates by mail can send greenbacks to the amount of ten dollars in registered letters, and postoffice or other drafts, payable to our order, for larger amounts, at our risk, with address of town, county and State carefully written.

Certificates may be had at the office of the Manager, 416 Walnut street, and of the following Agents: Alex. Kelsey, proprietor of the Paschall House; John King, 111 North Fourth street; Planters' House Saloon; Boogher Brothers, Jewelers, 106 South Fifth street, under the Southern Hotel; C. M. Caswell, Cigar Store, corner Fourth and Walnut streets; Torrey's Bookstore, 19 North Fourth street, opposite the Court House; W. H. Tilford, Photographic Goods, 17 North Fourth street; B. D. Adams, Southern Hotel Saloon; J. H. Cook, News Stand Southern Hotel; M. B. Syford, News Stand, St. Nicholas Hotel; G. B. Wintle, Bookstore, 610 Washington avenue.

All orders for Certificates and communications should be addressed to

PHILIP S. LANHAM, Manager,
No. 416 Walnut Street.
Under Southern Hotel, St. Louis, Missouri.

J. A. COPELAAND, Secretary.

NATIONAL TELEGRAPH.

THE NATIONAL TELEGRAPH COMPANY

A NEW enterprise, to be known as the National Telegraph Company, has been organized with valuable franchises conferred by a recent act of Congress for the purpose of establishing Trunk Lines of Telegraphs on all the principal railroads and mail routes in the United States. The Stock is to be issued upon the same principle as that of the Merchant's Union Express Company, which recently commenced operations. The design is to interest the entire business community in the enterprise. This is done, not so much to dispose of the stock as it is to secure the business of the country which the lines pass

THE CAPITAL IS TO BE

$10,000,000

In 100,000 shares of the par value of

$100 PER SHARE

But the actual amount to be paid in cash is

$35 PER SHARE

and this amount is to be paid as follows: One per cent. of the par at the time of subscribing, and no more until the entire capital has been subscribed, and then on calls to be made by the Board of Directors; installments not to exceed five per cent per month. When thirty-five per cent of the par value of the shares has been paid, certificates of stock will be issued. This will give the Company a paid up

CASH CAPITAL OF $3,500,000

Which will be sufficient to duplicate lines to all or nearly all the paying points reached by the present monopoly.

The present Telegraph Companies throughout the country have been consolidated into one huge monopoly, and are now earning over SIX MILLIONS OF DOLLARS per year, or over one hundred per cent. on the actual cost of their lines their present capital having been watered over ONE THOUSAND per cent.

THE NATIONAL TELEGRAPH COMPANY have a recognition from the United States Government of the importance of their enterprise, with a grant of the most valuable franchises ever conferred upon a telegraph company. No competing line has ever had the right now granted by Congress to this company to construct and operate lines over every RAILROAD and MAIL ROUTE in the United States. The position of this Company differs from that of any company ever before organized. The question of the RIGHT OF WAY IS FOREVER SETTLED.

The Stockholders of this Company cannot be sold out or TRANSFERRED to any other Company. The act of Congress under which this Company has been organized prohibits any transfer of the franchise granted.

CALLS---HOW TO BE MADE

One per cent of the Stock will be required on subscribing and subsequent calls, not to exceed five per cent. per month, will be made by the Board of Directors, from time to time, as may be necessary, to supply funds to construct and equip the lines; but no calls will be made after the one per cent. is paid, until the entire Capital Stock shall have been subscribed

ACTUAL CAPITAL REQUIRED

The Company confidently believe that thirty-five per cent of the Capital Stock will construct and fully equip

25,000 Miles of Wire

Which will connect all the commercial centers and important places in the United States. This opinion rests upon the most reliable estimates and responsible offers to construct and equip the lines.

THE NATIONAL TELEGRAPH COMPANY is organized under the laws of the state of New York, and franchises conferred by an act of Congress, approved July 24, 1866.

President—GEORGE B. SENTER, of Cleveland, Ohio.

Vice President—ROBERT SQUIRES, of New York City.

Secretary—GEORGE B. WALLER, of New York City.

COMPANY'S OFFICE,

Nos. 64 and 66 Broadway, New York

A limited amount of the capital stock of this Company is allotted to this locality, and those having an opportunity, and subscribing, will be placed upon equal terms with its corporators, and will secure like interests in all franchises which have accrued, or may hereafter accrue to the Company from any and all sources.

Stock may now be subscribed in this Company at the Office of the MERCANTILE AGENCY, R. G. DUN & CO., 251 Main street, Memphis, Tenn.

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REAL ESTATE BROKERS

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D. G. KENNY.
no9 J. B. PORTER

House for Sale on 13 Years' Lease.

THE undersigned offers for sale the house formerly occupied by H. R. Pettit,

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feb20 A. W. WILCOX

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1,000 bales Straight Timothy Hay,

1,000 barrels Louisville Cement,

100 barrels Celebrated Missouri Magnolia Mills Flour, equal to Harrison's, at Low Cash Prices.

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ANDERSON & GAY,

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HAVE on Consignment: 2000 bales Hay, 1,000 sacks Oats, 1,000 barrels Cape Lime, 50 kegs Pigs Feet, 500 sacks Corn, Sole Agents for Crescent City Roofing Paper. mh28

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COTTON FACTORS

AND

COMMISSION MERCHANTS,

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WE respectfully solicit a share of the business of the planters of the South. We thank our former customers for their patronage, and would be pleased to have them continue business with us. Our charges are the same as heretofore. All cotton consigned to us will be insured unless otherwise instructed. se25

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WHOLESALE GROCERS

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Commission Merchants,

No. 338 Front Street, Corner Union,

HAVE ON CONSIGNMENT, FOR SALE TO THE TRADE

2,000 bales Hay,
2,000 bushels Oats (black and white,)
500 barrels Seed Potatoes,
25 tierces Davis' Sugar-cured Hams,
2,000 barrels Cape Lime. feb20

J. W. DICKINSON, Formerly Reid & Dickinson. DR. B. F. DICKINSON Late Surgeon C. S. A.
W. W. WILLIAMS, Madison county, Tennessee.

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Cotton Factors, General Commission

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Liberal Advances made on Consignments.

We have a warehouse of our own in which we will handle all Cotton consigned to us, and we GUARANTEE THERE SHALL BE NO UNNECESSARY LOSS IN WEIGHT, A THING WE HAVE HAD TO SUBMIT TO HERETOFORE. Bagging and Rope furnished our customers.

Usual commissions charged. All consignments by river insured, unless otherwise instructed feb13

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PARKER, WARD & CO.,

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A NO. 1 SAW MILL AND GRIST MILL, in complete and perfect running order, with abundance of Belting, and a long line of Shafting, Pulleys, etc., situated on the St. Francis river, near Linden.

MISCELLANEOUS

Mad. M. Leise's Dancing Academy,

221 Second Street, Adams Block.

MADAM L.'s Classes for the above accomplishment will remain open during the Spring and Summer months, as follows: Children's Class Saturdays at ten a m and three o'clock p.m., and Tuesdays at four p.m. Gents same evening at eight o'clock. mh6

Notice.

THE Stockholders in the People's Insurance Company will take notice that an election for seven Directors of said Company will take place at the Company's office, No 14 Madison street, Memphis, Tennessee, on WEDNESDAY, the first day of April next.

mh24 S. P. READ, Secretary.

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FULL assortment of Building and Finishing Lumber, Flooring, Ceiling, Weatherboarding, Shingles, Laths, Sash, Doors and Blinds. All very low for cash Cedar Posts from twenty-five to fifty cents each.

M. E. & J. W. COCHRAN,
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PLUMBERS,

GAS AND

STEAM PIPE FITTERS,

204 Main Street,

MEMPHIS, TENNESSEE.

HAVE on hand a large stock of PUMPS, CHANDELIERS, LEAD AND IRON PIPES, BRASS WORK of every description for Gas, Steam and Water.

Jobbing promptly attended to. ja23

OPENING DAY!

WEDNESDAY, MARCH 25.

ELEGANT AND COMPLETE STOCK

OF ALL THE

NOVELTIES OF THE SEASON

L. KREMER. mh2

OWEN SMITH,

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DEALER IN METALLIC CASES AND CASKETS

And Manufacturer of

WOODEN AND ROSEWOOD COFFINS

Of all kinds.

No. 368 Northeast corner Gayoso and Second Street

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All orders for Undertaking promptly attended to.

ALLISON BROTHERS,

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HARDWARE,

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No. 9 Jefferson Street, Under Commercial Hotel

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EXECUTE every description of PLAIN AND FANCY JOB PRINTING, such as

Bill Heads,
Bills Lading,
Account Sales,
Dray Receipts,
Dray Tickets,
Wedding Cards,
Visiting Cards,
Business Cards,
Play Cards,
Ball Tickets,
Blanks of all kinds,
Circulars,
Receipt Books,
Check Books,
Drafts,

And every description of

Railroad and Steamboat Printing.

BLANK BOOKS of every description made to order. Particular attention given to BINDING of all kinds, such as

Music, Magazines,
Ladies' Books, Periodicals,
Standard Works, Etc., Etc.

No. 9 Jefferson Street. feb29

ICE! ICE!! ICE!!

BOHLEN, HUSE & CO.,

Wholesale & Retail Dealers in Ice,

296 1-2 Main Street, Memphis, Tenn.

WE would remind dealers in Ice, in the railroad and river towns, that the Spring is the best time to lay in their stock. While we are unloading, we can sell it by car load or in large quantities cheaper than after it is put in store, and the wastings in transit is much less.

Packing orders promptly filled, when money is sent with them, or when ordered through a city merchant.

feb15 BOHLEN, HUSE & CO

SMITH & LEECH,

No. 342 Second Street,

Opposite Greenlaw Opera House,

RECTIFIERS and Wholesale Dealers in BOURBON, RYE and ROBINSON COUNTY WHISKIES, and PROOF SPIRITS.

Our grades will compare, equal or superior to same line of goods in this or any other market. mh17

JOHN A. DENIE,

DEALER IN

Hay, Corn, Oats, Bran, Lime, Cement

Plaster, Hair,

FIRE BRICK & WESTERN PRODUCE

No. 41 South Court Square.

feb17

LUMBER.

Glazed Sash.

Cheapest in the city.

W. T. SWANWICK & CO.

150,000 Shingles.

Best to be had.

W. T. SWANWICK & CO.

300,000 Lath.

W. T. SWANWICK & CO.

Flooring, Ceiling, Siding, etc.

All articles in our line at the Lowest Rates. Orders from the country promptly and faithfully filled.

LOST.

LOST—This is to certify that the following Certificates of Stock in the Memphis and Charleston Railroad, belonging to my late husband, Dr. Wm. Jones viz: No. 700, dated June 20, 1857, for ten shares; No 1116, dated May 2 1860, for six shares have been either lost or destroyed by fire, and that it is my intention to apply to the Secretary of the Company for a duplicate of the same.
mh26 NAOMI JONES, Administratrix

FOR SALE OR LEASE.

FOR SALE—A good SODA FOUNTAIN, at a bargain.
J. W. FALLS & CO, 351 Main street.
mh26

FOR RENT.

FOR RENT—That elegant new RESIDENCE No 70 Court street, containing sixteen rooms; also, a Store a Residence No. 352 Shelby street. Apply to
WM. J. SOMERVELL,
mh21 No. 277 Second street.

FOR RENT—A Cottage Residence, containing four rooms the premises embracing about five acres. Location, Walnut street, a short distance south of Vance.
MESSICK & PICKETT,
mh19 No 317 Second street

FOR RENT—One dwelling house, No. 152 Hernando street Will suit a small family. Also, residence lots in Corinth, Mississippi for lease on long time. Apply to T. H. Logwood, No. 15 Union street. mh15

BOARDING.

REDUCTION IN BOARD—The WHITEMORE HOUSE has reduced its transient rates to $2 per day; Day Board to $6 per week; Regular Board with single rooms very low Families can be accommodated with nicely furnished rooms at the lowest rates. Owing to the fact that we have no rent to pay, we can afford better inducements to guests than any other house in the city. ja26

SPECIAL NOTICES, ETC.

WE have one fine Arctic Soda Fountain, on in use for a few weeks last season, which we will sell at a bargain It has ten syrup faucets, and all necessary appliances. Apply at Ward & LeGuere's, druggists, corner Main and Adams streets opposite the Worsham House. mh4

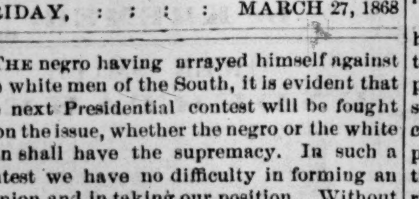
NOTICE—I will, at the next term of the County Court, apply for letters of administration upon the estate of Fletcher Taylor, deceased.
mh19 C. N TAYLOR

COUGH—NO CURE NO PAY—FORREST'S JUNIPER TAR is warranted to cure Cough, Croup, Hoarseness, Throat and Lung diseases or the price positively refunded. Instantaneous relief produced. Try it. If not satisfied, return the empty bottles and get your money back. D. F. GOODYEAR, 310 Second street, Agent. Price 35 cents. mh18

NOTICE—At the April term I will apply to the County Court of Shelby county to be appointed Guardian of Mary Lula and Bettie McNeal, minor heirs of J. S. McNeal deceased.
R. A. REYNOLDS.
ONLEY & DUVAL Solicitors. mh5

NOTICE—To all whom it may Concern—I have this day suggested to the Clerk of the County Court of Shelby county, the insolvency of the estate of William Biggs, deceased. All creditors are required to file their claims by the first day of October, 1868, or they will be barred.
H. IRBY, Administrator
ONLEY & DUVAL, Solicitors. mh8

MARRIAGE AND CELIBACY AND THE HAPPINESS of True Manhood; an essay for Young Men on the Crime of Solitude, and the Physical Errors, Abuses and Diseases which create impediments to MARRIAGE, with sure means of relief. Sent in sealed letter envelopes, free of charge. Address Dr. J. SKILLIN HOUGHTON, Howard Association, Philadelphia, Pa. feb2 d&w


EDITORIAL
THE PEN IS MIGHTIER THAN THE SWORD

FRIDAY, : : : : MARCH 27, 1868

THE negro having arrayed himself against the white men of the South, it is evident that the next Presidential contest will be fought upon the issue, whether the negro or the white man shall have the supremacy. In such a contest we have no difficulty in forming an opinion and in taking our position. Without the least hesitancy we go with our own race. Our natural instincts lead in that direction. The negroes have, almost *en masse*, consolidated themselves in a Black Man's party, and it is now the duty of the Caucasian race, throughout the union, to unite and concentrate themselves into the White Man's party. This position has been forced upon the white race. In the recent elections throughout the South, the negro everywhere, arrayed himself against the white men who gave him employment. Headed by a few dirty vagabonds, the negroes on every available occasion, march up to the polls and in solid phalanx cast their votes against the interests, desires and happiness of the tax-paying white people who give them employment. This suicidal, unnatural and ungrateful policy has aroused the white men of the Union to a keen sense of their duty. The white men of the South were raised with the negro. Their interests ought to be the same. There should be a mutual feeling of sympathy and dependence. The white race did not desire the issue of black and white parties thrust upon them. "But it is now evident that a majority of the poor infatuated blacks, blinded by the most absurd and false ideas of their strength and importance, have determined to hurl themselves on all occasions against their employers and best friends. These deluded and misguided creatures have determined to proscribe the respectable whites, and to support a class of abandoned adventurees in whose keeping neither our lives, liberty nor property would be safe. We regret to say that while a few of the freedmen are open to reason and dread an antagonism which they know will be fatal to their welfare, a large majority in our cities, at least, have resolved to make an issue with their late masters. And this they are doing in the most offensive and impudent manner, screaming and bellowing with delight at the abuse which foul-mouthed vagabonds heap upon the very gentlemen whose houses they occupy and whose wages they accept. On the public squares, in their churches and in their public meetings, it is notorious that nothing delights these unfortunate creatures half so much as abuse of ninety-nine out of every hundred of the white men of the South. For this vindictive spirit, and for this desire to proscribe their employers, there is no excuse. It is a manifestation of malevolence which is utterly without justification, and this insolent and insulting black minority can never be brought to their senses by flattery and kind words. They must be taught to feel the power of the white majority which predominates in the United States. When they have learned that, as a "black man's party," they are powerless in the hands of the white men, they will become orderly and useful, and not before. And when they have been whipped out of their boots, and utterly routed, they will listen much more respectfully to kind and well meant advice than they now do. When they have discovered that the gentlemen whom they delight to hear branded as "rebels" and "traitors" by the most wretched outcasts from white society, are still a power in the Union, they will find that their true interest and strength cannot be found in the ranks of a "black man's party." This lesson we can teach the freedmen by a thorough and speedy organization, and its good effects will be very enduring. We must utterly rout this black Radical party, and then we can form an enduring treaty of peace. The white men of the nation must combine. They must organize and hurl their whole strength against the malignant, incendiary, agrarian, black and Radical organization which is menacing their lives and property. We must defeat and utterly rout it, and when the freedmen have learned that the white race is still the dominatn race throughout the Union, we shall have a restoration of those kindly relations which a few degraded whites have disturbed. We must speedily teach the blacks that it is not safe for them to meet in midnight conclave to conspire and plot against and abuse those to whom they wear faces of kindness and good will. There must be an end to the open and foul-mouthed billingsgate which those in our employment collect by thousands to hear heaped upon the white men of the South. This state of things is without a precedent, and must lead to the most terrible results if it continues much longer." Both STEPHEN A. DOUGLAS and ABRAHAM LINCOLN were the first to propose and advocate a white man's party. The sentiments below were uttered by these two distinguished gentlemen when they were candidates for the United States Senate in Illinois, against each other, in 1858:

> I hold that this Government was made on the white basis, by white men, for the benefit of white men and their posterity forever, and should be administered by white men, and none others. I do not believe that the Almighty made the negro capable of self-government.—*Stephen A. Douglas.*

Now hear President LINCOLN in reply:

> I AM NOT, NOR EVER HAVE BEEN, IN FAVOR OF MAKING VOTERS OR JURORS OF NEGROES, nor of qualifying them to hold office, nor intermarrying them with white people, and I will say, in addition to this, that there is a PHYSICAL DIFFERENCE between the white and black races, which, I believe, *will forever forbid the two races living together on terms of social and political equality*—and, inasmuch as they cannot so live, while they do remain together, there must be a position of superior and inferior, and I, as much as any other man, am in favor of having the SUPERIOR POSITION ASSIGNED TO THE WHITE RACE.

This will be the great issue in the next Presidential contest. The people of the North have already declared in favor of the White Man's party, and since the negroes of the South, in every election, have united and arrayed themselves against the white man, it is natural that the white men of the South should join the White Man's party. In taking this position, however, we have no desire to abridge the rights of person or property of the colored people. They are entitled to every protection known to the laws; but they have no right to demand that social restrictions shall be abolished to suit their tastes.

"GO ABROAD to hear the news," and go to Nashville for the biggest liar, according to his size, in the State of Tennessee. The quinine editor of the "loil" mendicant there has the following in a late issue:

> The rebels of Shelby and the adjoining counties seem to be determined in their efforts to drive the loyal men from the county. At Somerville, a short time ago, there was a meeting of the citizens, at which the constitution of 1834 was adopted, those present swearing this should be a "white man's government."
>
> Our informant says the KuKlux have organized there in large numbers, and ride about the country terrifying all who are not of their own stripe in political sentiments and belief. Marauders, horse thieves and robbers are extremely plentiful, and it is next to impossible to execute the civil law. This is a gloomy picture, but true.

As to the meeting at Somerville, we never heard of it before, but if any of the people there had the audacity to indorse any of the principles of their forefathers, it affords a sound Jacobin pretext for denouncing all concerned as rebels, and the sounder the principles are the worse the rebel. The assertion, though, concerning the Ku-Klux excites ridicule and contempt—ridicule that any one should be fool enough to start or repeat a silly story, and contempt for the coward who shakes in his socks at some imaginary evil which he knows is due him for his double-dealing, sycophancy, falsehood and irreclaimable personal depravity. The last paragraph he writes is a lie, without foundacion or shadow, except in his polluted brain. Even the radicals in this end of West Tennessee have not had the face to make any such charges—no one has found any difficulty in executing the law, except grandame HUNTER. The Ku-Klux have not made their appearance, as far as we know, in West Tennessee. Their operations, we believe, have been confined to Middle Tennessee, where their mission has been to look after a horse thief or two, and murderer, and to scare niggers and such fellows as this billious dealer in contraband quinine and distiller of "loil leeg" falsehoods.

WE published in yesterday's AVALANCHE a communication from R. ABBY, Esq., discussing the Mississippi levee and railroad project, which has been advocated by our fellow citizen, MINOR MERRIWETHER, Esq. As we have never seen Mr. MERRIWETHER's scheme fully described, we cannot endorse or condemn it. There is something so plausible in the idea of making a levee on the banks of the Mississippi river the bed of a railroad, that we would like to see whether it is possible. The opposition to the levee system in the "hill counties" of Mississippi will certainly give way, and all co-operate to reclaim the lowlands of that State from overflow and ruin.

Gold opened in New York yesterday at 38¼, and closed at 38¾. Cotton, active, at full prices; sales, 4,000 bales.

The Nashville Radicals want 50,000 East Tennesseans to come and put down the Ku-Klux for them.

Company M., Fifth cavaly, passed through Nashville, from Kentucky, for Chattanooga last Monday. Old Cyclops, beware!

Charles Billit, of New Orleans, on Thursday last, intent upon self destruction, prepared a bombshell, covered it with his body, and lighted the fuse. His plan was a perfect success.

Sydney Hydeley, eighteen years old, shot his cousin, Carrie May Billings, at Wynantsville, near Troy, New York, on Friday. He was handling his gun carelessly, when it was discharged, accidentally, of course, the ball entering her forehead, and she fell dead.

It is proposed to consolidate Jersey City and the neighboring towns on New York Bay, in Hudson county, New Jersey, into a single large city. The new city would extend for some twelve miles along the shore of the Hudson river and New York Bay, and would begin its existence with a population of 120,000.

It is pretty well established now that two of the Russellville bank robbers were recently pardoned out of the penitentiary by one of our Governors—either Boynton or Brownlow. They are probably of the crowd that presented little Smith with a cane and indorsed him as a "gentleman." He is a gentleman among them, and when those loyal robbers are apprehended, they will doubtless employ him as counsel, and present him with a suit of clean clothes.

The Chicago *Tribune* alleges that "the cost of defending Andrew Johnson on the scale mapped out cannot be less than fifty thousand dollars, and that the whisky ring undoubtedly furnish this immenee sum for this purpose." On the other hand, the cost of prosecuting the President will not be less than one million dollars, and the people's pockets undoubtedly furnish this enormous sum for this purpose.

Stevens' bill for the admission of Alabama declares the Constitution submitted February 4th to be the fundamental law for the provisional Government, and officers then elected shall enter on their duties. The Governor shall convene the Legislature chosen at said election, and the Legislature is empowered to resubmit said Constitution to the qualified electors of Alabama for ratification. When a majority of voters shall have ratified the Constitution, and the Legislature shall have ratified the amendment to the Constitution of the United States known as the fourteenth article, then the Constitution of Alabama may be presented to Congress for approval.

BY TELEGRAPH

MIDNIGHT DISPATCHES.

The Impeachment Case—Testimony as to the Correctness of the President's St. Louis Speech.

Intelligence from San Francisco—Mexican Troubles on the California Frontier.

Terrific Snow Storm at Omaha.

Treaty with the North German Confederation—Naturalization Changes Nationality.

Protest from the Legislature of Kentucky Against the Exclusion of Her Congressmen.

Interesting Foreign News—Reported Arrest of Captain Deasy, of Manchester Notoriety.

WASHINGTON.

WASHINGTON, March 26.

By direction of the President, General Hancock has been granted leave to absent himself from Washington for four days.

The receipts from customs for the week ending March 21st were $2,902,929.

The impeachment managers have just taken testimony concerning the correctness of President Johnson's speech at St. Louis.

The Senate to-day ratified the treaty between the United States and the North German Confederation, providing for free emigration, and that naturalization changes nationality.

The vote was twenty-nine to eight. The treaty was slightly amended, but not in any important particulars. The ground of opposition was, that the confederation might, according to its provisions, interfere with emigrants before the full time of naturalization had expired, as Austria had done in the Kosta case.

The House Committee on Foreign Affairs will, it is said, when the impeachment trial is over, report in favor of an appropriation for the purchase of Russian America, in accordance with the terms of the treaty,

The President has sent to the Senate the nomination of R. F. Miller, as Associate Justice of the Supreme Court for Idaho.

NASHVILLE.

NASHVILLE, March 26.

A new Fenian movement, which was inaugurated by the Nashville Circle, has been adopted by a majority of the circles, the aim of which is to get 500,000 men pledged before another move is made upon the enemy.

Judge Harrison, of the Supreme Court, was thrown from a buggy, this morning, and had his right ankle fractured and the ligaments ruptured. He was otherwise uninjured.

NEW YORK.

NEW YORK, March 26.

It is again said that Captain Deasy, who was announced as re-arrested in England to-day, is in this country, and has completed a tour of that country, in behalf of the Fenian Brotherhood.

The receipts from customes at this port on Monday were $700,000 in gold.

The revenue officers here have seized eighty-four bales of Alabama cotton, on suspicion that it was removed from that State on fraudulant permits.

TRENTON.

TRENTON, N. J., March 26.

A bill was introduced in the lower House to-day making the punishment for murder in the first degree hanging or imprisonment for life, the same to be determined by the jury, as in Illinois and Minnesota.

SAN FRANCISCO.

SAN FRANCISCO, March 26.

Governor Rubi is still at the capital waiting for reinforcements from Guadaljara, who are daily expected, under the command of Sorona.

The engagement between the national troops under Davolas, and Mortiner, near Cosolu, was indecisive, but Davolas, fearing that he would be unable to hold out until the arrival of Sorona, embarked his troops aboard the steamship Montana, and took them to Guyamas.

The Mexican Government has removed the prohibition on the importation of goods of every description, and sugar, coffee, boots, shoes, etc., heretofore not allowed, are now admitted on the same terms as other goods.

The brigands, who have been infesting the roads in the vicinity of Gualjora, Suerretara and Salina, have been either dispersed or killed, and the roads are now free.

An arrival from Mazatlan reports that fighting was going on in the streets there between the opposing parties. One side was supposed to be the fillibusters under Martinez, who claims that before next summer a new republic will be established from Matamoros to Mazatlan.

LOUISVILLE.

LOUISVILLE, March 26.

The river is falling steadily, with eleven feet in the canal. The weather is clear and cold.

The river has fallen twenty-two inches. It is now raining hard.

Departed—Jacob Strader, for New Orleans, with a fine trip.

CINCINNATI.

CINCINNATI, March 26.

It has been raining all day. Thermometer 42°. The river has risen two feet six inches. There is now thirty-six feet in the channel.

Arrived—Charmer and Havana, from Nashville.

Departed—Emma Floyd, for Nashville; Silver Spray, for New Orleans.

ST. LOUIS.

ST. LOUIS, March 26.

Omaha dispatches say that the heaviest snow storm of the season occurred along the Union Pacific Railroad on Tuesday. Several trains are snowed in.

EVANSVILLE.

EVANSVILLE, IND., March 26.

The steamer Sam Orr, from Eastport, arrived. The Belle Lee and John Kilgour, from New Orleans, passed.

FOREIGN.

LONDON, March 26.

Captain Deasy, the escaped Manchester Fenian, has been arrested at Solferd and lodged in jail.

Petitions to the House of Commons in opposition to Gladstone's resolution on the Irish question, are being circulated and are receiving many signatures.

BERLIN, March 26.

The Prussian Government has sent a circular note to the Diplomatic agents abroad, denying that Prince Napoleon's mission to Germany had any political object.

Fortieth Congress--First Session

WASHINGTON, March 26.

SENATE.

The chair submitted a protest from the Legislature of Kentucky against the wrong done that State in excluding its Representatives from the House, and denouncing it as unconstitutional, etc. Referred to the Judiciary Committee.

Also, a memorial from the South Carolina Convention, praying for the removal of political disabilities from several persons named therein. Referred.

Mr. Chandler reported favorably from the Committee on Commerce, on a bill to prevent and punish frauds on revenues, and for other purposes. Referred to the Committee on Finance.

Mr. Sherman, from the Committee on Finance, reported favorably on the bill to refund certain duties paid under protest.

Mr. Trumbull introduced a bill in relation to the qualification of jurors, which he asked to have placed on the callendar, as it had already been considered by the Judiciary Committee.

On the motion of Mr. Summer, at 12:25 p.m. the Senate went into executive session.

At 1:30 p.m. the Senate resumed legislative business, and took up the President's veto. The bill was passed over the veto by 32 against 9.

The chair appointed as a Committee of Conference on the part of the Senate on the Tax Exemption bill, Messrs. Sherman, Williams and Morgan

Mr. Trumbull introduced a bill in relation to the qualification of jurors, which provides that no person shall be held incompetent to act as a juror on trials for public officials against the United States by reason of having formed or expressed an opinion upon matters to be submitted to such Grand Jury for investigation, or upon the guilt or innocence of the person accused, if such opinion be merely founded on public rumor, statements in public journals, or the common history of the times, provided he be otherwise competent, and upon his oath declare, and it appears to the satisfaction of the Court, that notwithstanding such opinion, he can and will impartially decide upon the matter to be submitted, and try the accused upon the crime charged, and give a true verdict upon the evidence; but the Court may, in its discretion, set aside such grand or petit juries.

The Committee on Elections yesterday heard the argument of Mr. McGreety, the gentleman who contests the seat of Mr. Hooper; and to-day the committee heard the reply of Mr. Hooper. It is supposed that definite action will be taken in the case to-morrow.

HOUSE.

The Speaker announced that the first business in order was the joint resolution to regulate the tariff for freights and passengers on the Union and Central Pacific railroads.

The question being on rescinding the previous question on Mr. Price's motion to refer it to the Committee on the Pacific Railroad, and after debate, the previous question was voted down by 63 to 67.

After further discussion Mr. Washburne, of Illinois, said he wished to submit a proposition, which was, that this should be considered a test vote and those who vote for its reference should be considered as in favor of the companie's maintaining their exorbitant tariffs. [The latter part of the sentence was almost inaudible on account of the calls for order.]

After quiet was restored, the motion to refer it to the Committee was agreed to—yeas, 83; nays, 49.

The Speaker presented various communications, including the protest of the Kentucky Legislature, referred to in the Senate's proceedings, which was referred to the Committee on Elections.

Mr. Washburne, of Illinois, called up the motion made on the 26th of February, by Mr. Washburne, of Wisconsin, to reconsider the vote by which a letter from the Secretary of the Treasury to relieve the Union Pacific Railroad was ordered to be printed.

Mr. Washburne, of Wisconsin, in the course of his remarks said that it appears by this morning's *Chronicle* that there was another scheme afloat to build another Pacific railroad, from Cairo to Arkansas and New Mexico; and he believed that this and the other Pacific railroad scheme now on foot would require two hundred to two hundred and fifty millions of dollars.

The motion to reconsider was tabled.

Mr. Loflin, from the Committee on Printing, reported resolutions for printing 15,300 copies of J. Ross Browne's report on Mineral Resources, for the use of the House, and 500 copies of the report of the Commission on Life Saving Inventions, which, after discussion, were adopted.

Mr. Farnsworth, from the Reconstruction Committee, reported back the bill to admit Alabama to representation in Congress. This bill was published in the House proceedings of March 18, with the following additional section:

Sec. 3. That the said State of Alabama shall be admitted to representation in Congress, and shall be recognized as a State, only on the following conditions: That the Constitution of Alabama shall never be so amended as to deprive any citizen or any class of citizens of the United States of the right to vote, as by the Constitution herein recognized; nor shall it be so changed as to allow any person to vote who is excluded from office by the fourteenth article of the amendment to the Constitution of the United States, until the disabilities imposed thereby shall have been removed in the manner therein provided; and Congress shall have the power to annul any amendment to the Constitution of Alabama, or any act of the Legislature of said State, contrary to the provisions of this section.

Mr. Spaulding offered as a substitute the bill introduced into the Senate by Mr. Stewart.

Mr. Poland withdrew the substitute of which he gave notice last week.

Mr. Bingham moved to strike out the third section.

Mr. Kelly spoke in favor of the bill; and said that in the name of the Republicans he asked Congress to admit Alabama, and proclaim to every refractory State that will bring a constitution providing, as that of Alabama did, for the right of every man to hold land, to vote and to exercise every other political right, will be admitted, even though terror and threats of clandestine lynching and hanging may have kept some from the polls.

Mr. Stevens, of Pennsylvania, offered an amendment providing that the right of suffrage shall not be denied in any State, except for treason, felony or other crimes, infamous at common law, but that suffrage shall be forever universal and impartial, and that Congress shall have the power to amend any act of the Legislature of Alabama, in violation or derogation of the acts with regard to suffrage, and that in case of the Legislature reducing suffrage below the universal right, all legislation admitting it into the Union shall be null and void.

Farnsworth gave notice that he would move the previous question at half past three to-morrow, and ask a vote at half past four. Adjourned.

Jefferson Davis arrived in Baltimore on Monday.

Four men were injured, one fatally, in escaping from a burning building in New York city yesterday.

The strict moralists of Paris, France, are much scandalized by the free and easy conduct of the American belles, who are at present "doing" that lively city.

Sergeant Bates left Columbia, South Carolina, Monday morning for Charlotte. He expects to arrive at Richmond on the 9th of April and Washington on the 14th.

A Washington correspondent says: "A few days since a Radical Congressman, from Pennsylvania, had to leave the dining room of his hotel. The waiter refused to serve him and his lady. Reason: because the lady aforesaid was a female of the town."

The President has done credit to himself and honor to his home, in calling in the Hon. T. A. R. Nelson to his aid as counsel. For integrity, ability, energy and industry, Thomas A. R. Nelson has no superior. Although he hails from the heathen land of East Tennessee, the Congress lawyers will find when they strike old Tom that they have struck a hard ledge.

In Evansville, Indiana, on Sunday, a negro named Hopkins went to the house of Mr. Jack Robinson, for whom he had worked for more than a year. Going at once to the room where Robinson and his wife were sleeping, he struck the former on the head with an ax, cutting a terrible gash on the cheek, and with another blow broke the jawbone and almost severed the chin. The negro then fled to the river, took a skiff and escaped.

Colonel Wm. M. Estelle, who was foully murdered at Jackson, Mississippi, Monday night, was a gallant soldier, a lawyer by profession, was a most genial gentleman, and a native of Tennessee, though he had lived in Mississippi from boyhood. A man named Gibbon from St. Louis, in the service of the internal revenue department, was arrested on the following day on suspicion of having committed the dastardly deed. The bloody knife which was dropped near the scene of the stabbing was traced to him, and makes a strong link in the chain of circumstantial evidence. What makes this terrible affair more melancholy is the impression which prevails, that the blow which cost Colonel Estelle his life was intended for another, and not for him. He served as a Captain in the Second Mississippi regiment during the Mexican war, and held the rank of Colonel in the Confederate army during our late troubles. He was a widower, leaves two children, and was about forty-five years old.

The Ku-Klux Klan is said to number seventy-five thousand members in Alabama. The Lieutenant Grand Cyclops has headquarters in the saddle, and hindquarters in Sacred Serpent's Den, and his camp in a graveyard near Montgomery. His staff consists of Colonel Black Cat, Colonel Grand White Death, Major Rattling Skeleton, Captain Past High Giant and Lieutenant Red Dagger. The Ku-Klux troops are very fond of nigger meat, and the Great Grand Beef Major has just issued ten days' rations of Union Leagues, which destroyed the Radical majority in two whole counties.

FUNERAL NOTICE.

The friends and acquaintances of ROBERT BANKS, (only surviving son of the late Enoch Banks), are respectfully invited to attend his funeral from the residence of J. F. Frank, No. 171 Vance street, this (Friday) afternoon at three o'clock. Service by Rev. Dr. Steadman.
Carriages in attendance at Holst & Co.'s, No. 320 Main street

NEW ADVERTISEMENTS.

Wanted.

LOGS! LOGS! LOGS!

I WISH TO PURCHASE

Two Million Feet Good Timber,

Delivered at my Saw Mill in the city of Memphis, on Wolf river. I will buy Cypress, Walnut, White Oak, Yellow Poplar and Gum, and pay the highest cash prices.
mh27 M. E EDDINS.

Tax Payers Notice.

THE assessment of the Ninth and Tenth Wards has been made by the City Tax Assessors. The books, showing the valuation and names of owners of each lot, will be open for inspection and correction at J. M. Provine's Office, 317 Second street, near Monroe, through the next ten days. We would have property owners in these two new wards call and see that mistakes as to ownership are corrected.
JOHN PARK,
L. J. DUPRE,
mh27 J. M. PROVINE.

U. A. O. D.

To the Officers and Representatives of the Grand Grove of the State of Tennessee:

YOU are hereby notified to attend a Special Meeting This (Friday) Evening, March 27, at half-past seven o'clock, for the purpose of inaugurating Lafayette Grove No. 4.
By order of
JULIUS BEEHLER, N. G. A.
ABE. J. PFEIS, G. Sec. mh27

United Ancient Order of Druids

THE Officers and Members of Tennessee Grove, No. 1, Memphis Grove, No. 2, and Cleanthe Grove, No. 3, are hereby notified to attend a meeting for the purpose of opening a new Grove, to meet at their hall, No. 87 South Court street, this (Friday) evening, March 27, 1868, at 7½ o'clock.
Transient Brethren in good standing are most respectfully invited
By order of
F. W. BUTTINGHAUS, N. A. of Tennessee Grove No. 1.
JAS. WHELIGAN, N. A. of Memphis Grove, No. 2.
S. BETHOF, N. A. of Cleanthe Grove, No. 1.
JACOB BRUT, Sec'y Tennessee Grove, No. 1.
P. H. LASHLEY, Sec'y Memphis Grove, No. 2,
M. BRAN, Sec'y Cleanthe Grove, No 3. mh27

DR. JAMES

IN MEMPHIS.

DR JAMES, formerly of James' Lock Hospital, Custom House street, New Orleans, (established in 1850), and for the last seven years located in Chicago, will be in MEMPHIS, for a short time only, and can be consulted at his rooms 199 Main street Webster Block, from 9 a.m. to 1 p.m, and from 3 to 8 p.m.

Dr. JAMES treats CHRONIC, MERCURIAL, SYPHILITIC, BLOOD and SKIN DISEASES, and all DISORDERS of a CONTAGIOUS VENEREAL CHARACTER—which he cures without the use of mercury, iodide potassia, arsenic or any poison, but with his NEUTRALIZER, a positive cure for all humors and blood poisons.

ORGANIC WEAKNESS, such as SEMINAL WEAKNESS, NOCTURNAL and DIURNAL EMISSIONS, brought on by the abuse of the organs, early indiscretions, excesses, or entailed hereditary, causing loss of memory, confusion, depression, dimness of vision and oftentimes insanity, with deplorable train of symptoms, treated and radically cured by an infallible method, saving time and expense. All diseases peculiar to the sexual organs of a private character radically and permanently cured.

Old diseases of the most horrible class, where the blood has become poisoned, producing blotches on the face, small watery blisters, pains in the head and bones, ulcerated throat and nose, sores on the limbs and body, scrofula, together with an endless number of sufferings effectually and permanently cured.

Dr. JAMES is recommended by the press of the country, by Professors of Medical Colleges, and by the Medical Profession generally. Those afflicted should apply to him and be cured at once.

Dr. JAMES cannot leave his home office in Chicago for a long time, and those who desire his advice should improve this opportunity. His rooms are at 199 Main street, over Wheaton's Hat Store.

☞ Call at his office and get Pamphlets on SPERMATORRHEA and SYPHILIS. Consultation free. mh27

GRAND OPENING DAY

MONDAY, MARCH 23.

B. LOWENSTEIN & BROS.

SPRING DRY GOODS!

The Cheapest

CASH DRY GOOLS HOUSE

OF MEMPHIS.

B. LOWENSTEIN & BROS.

They Buy for Cash. They Sell only for Cash. They Buy at Close Figures. They Sell at Close Profits.

Cloaks! Cloaks! Cloaks!

MANUFACTURED BY

B. LOWENSTEIN & BROTHERS

EXAMINE OUR SPRING STYLES.

Cloaks Made to Order and a Good Fit Guaranteed.

Competition Defied!

B. LOWENSTEIN & BROTHERS

Have now Received a Complete Stock for

SPRING TRADE

And will make Daily Additions during the Season.

Monday, March 23, Grand Opening Day.

mh22

OLD WINE & LIQUOR HOUSE

Established by Raphael Semmes in 1819.

B J. SEMMES & CO.,

Irving Block, 254 Second Street, Memphis, Tenn.

IMPORTERS AND DEALERS IN

WINES, LIQUORS, SEGARS, ETC.

Import Direct

Martell Brandies, Port, Sherry and Other Wines.

SOLE AGENTS FOR

Moet & Chandon's "Green Seal" Champagne.

Yannissee and Westmoreland Whiskey

oc

BOOKS AND STATIONERY.

GEO. PATTISON & CO.,

NO. 317 1-2 MAIN STREET, WEST SIDE,

WHOLESALE & RETAIL DEALERS IN SCHOOL, MISCELLANEOUS BLANK AND MEMORANDUM BOOKS.

A large and well selected stock of everything in our line kept constantly on hand at Lowest Market Price. Wholesale dealers would do well to examine our goods before purchasing elsewhere. mh6

CAROLINA LIFE INSURANCE COMPANY

Of Memphis, Tennessee.

CAPITAL : : : : : : : : $200,000

M. J. WICKS, President. W. F. BOYLE, Secretary.
J. H. EDMONDSON, General Agent.

ISSUES Policies either Participating or Non-participating on all the Improved Plans of Life Insurance. No Restrictions on Travel or Residence within the settled limits of the United States or British North America. All Policies Non-forfeitable for their Equitable Value.

The Officers and Directory of this Company are determined, by a judicious and economical management of its affairs to secure for it the success which it merits as a reliable Institution.

Office, 291 Main Street.

mh5

FORSTER, KEALHOFER & CO.,

GROCERS, COTTON FACTORS AND COMMISSION MERCHANTS,

No. 209 Main Street, Four Doors North of Adams, Memphis, Tenn.,

General Dealers in Plantation Supplies.

IN ADDITION, ALWAYS HAVE

Choice Michigan Butter,	Extra Golden Syrup,	Buckwheat Flour,
Shaker Preserves,	Canned Fruits, Pickles,	Green and Black Teas,
Sugar, Flour, Meal, Lard,	Sugar Cured Hams,	Breakfast Bacon,
Choice Coffees,	Irish Potatoes, Hominy,	Beans, Pearl Barley.

Have in store a consignment of DRIED PEACHES—finest in the market.

☞ Captain KEALHOFER gives special attention to Cotton and Produce consigned to the house. ja30

GREAT WESTERN PRODUCE DEPOT!

No. 3 Promenade Street, Elliott Block, Memphis, Tenn.

W. P. WRIGHT,

Storage, Forwarding & General Commission Merchant

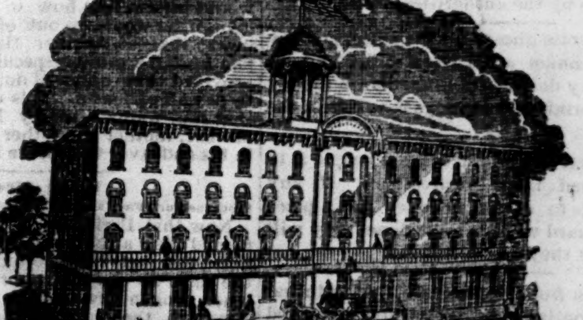
HEADQUARTERS FOR

Hay, Corn, Oats, Bran, Meal, Flour, Pork, Bacon, Lard, Apples, Potatoes, Onions and Produce generally; also, Lime, Cement and Plaster.

☞ I sell for Cash only, consequently at Lowest Prices. Particular attention given to filling orders. oc

WORSHAM HOUSE,

Memphis, Tennessee,



GALLOWAY & ROYALL, Proprietors.

Board Reduced from $4 00 to $3 00 per Day.

AUCTION.

At Auction, Fine Engravings, Steel Plate and in Colors.

BY A. M. STODDARD & CO. SATURDAY MORNING we will sell as above, at 328 Second street, a large collection of beautiful Engravings.
mh26 A. M. STODDARD, Auctioneer.

Underwriter's Sale

BY W. H. PASSMORE & CO.

THIS MORNING, of Tubs, Cedar Buckets, Sieves, Coffee Mills, Sugar Buckets, Bowls, Looking Glasses, Herring, etc., etc. mh27

Boots, Shoes, Hats, Clothing,

STAPLE and Fancy Dry Goods, Fancy Goods and Notions. By A. S RUGERSON, Auctioneer.
I will sell THIS DAY, March 27, at ten o'clock, at my Salesroom, 362 Main street, a large invoice of the above described goods mh27

Trustee's Sale.

BY virtue of a deed executed to me on the 26th day of January, 1867, by E. S. Plummer, and recorded in the Register's office of Shelby county, Tennessee, in book 59, part 2, pages 225 226, 227, conveying the interest of said Plummer in a certain leasehold for the purpose of securing a debt due to the Franklin Insurance Company, I shall,

On Friday, April 10, 1868,

Between the hours of eleven and twelve o'clock, proceed to sell upon the premises all the interest and title of the said Plummer in a certain lot in the city of Memphis, on the north side of Washington street, which said lot is described as follows in a certain deed from Basilius Lorenz to E. S. Plummer, of record in the Register's office, in book 49, pages 162, 563, viz: Beginning at a stake on the north side of Washington street thirty-one (31) feet and six (6) inches west of John Park's 63 feet lot, running thence one hundred and fifty (150) feet more or less, to the alley between Washington street and Poplar; thence eastwardly with the south side of said alley thirty-one (31) feet and six inches to John Park's line; thence southwardly with John Park's line one hundred and fifty (150) feet more or less, to Washington street; thence westwardly thirty-one feet and six inches to the beginning. The lease of the said Plummer was for a term of fifty years from the 8th of June, 1855, and has upwards of thirty-four years still to run. The property is valuable as an investment, having uniformly yielded a remunerative rental.
mh27 LAW. S. MARYE, Trustee.

Collecting Agency.

THE undersigned respectfully asks leave to inform his friends throughout the city and county, that hereafter he will give prompt personal attention to the Collection of all Accounts and Claims of whatsoever nature, and, when necessary, put the same in suit. He will also attend to the Renting and Sale of Property, either Real or Personal. He may be found at his office, corner Washington and Main streets. Give him a call.
mh25 WM. B. COTTON.

MEMPHIS CLUB HALL.

GRAND Complimentary Benefit, FRIDAY EVENING, March 27, 1868, tendered to G. W. MITCHELL, by the citizens of Memphis. A host of volunteers will appear. Two fine Comedies and a Musical Olio. Admission, One Dollar. Reserved Seats may be procured at 305½ Second street. mh25

Administrator's Notice.

HAVING been qualified as administrator, with will annexed, of Jane Stair, deceased, all parties having claims against said estate are notified to file the same with me or with my attorney, J. A. Onley, properly authenticated, at once; and all parties indebted to the estate are notified to settle the same without delay.
W. L. BELL, Administrator.

CHEAP SADDLERY HOUSE.

SADDLES, BRIDLES,

Harness, Whips, Collars,

Leather and Saddlery Hardware

Saved from the late fire, and selling at a GREAT SACRIFICE as they must be closed out at once. Call early and secure Bargains.
C. N. CASE, JR., & CO.,
177 Main street, sign of the Golden Stirrup,
mh3 Wood uff Block.

Great Attraction.

JUST RECEIVED from Italy, a fresh lot of the finest and best assorted

Maccaronis, Dried Mushrooms and Purest Olive Oil

Ever seen in this city. For sale wholesale and retail by
ANDREW DANERI, Grocer,
feb29 370 Second street, corner of Gayoso.

MEMPHIS ADVERTISING & COLLECTING Agency.

FORREST, POWELL & CO.,

53 Union Street, Memphis, Tenn.

WE are prepared to do a general Advertising and Collecting business in both the city and country. Having an extensive acquaintance in the Southern States, we will make collections in Alabama, Mississippi, Louisiana, Arkansas and Tennessee a specialty, and guarantee satisfaction.

We will insert advertisements in any of the Southern papers (charging no commission) and furnish the advertiser with a copy of the same.

Merchants will consult their own interests by applying to us.

Parties wishing to negotiate notes may hear of something to their advantage by applying to the above firm.
FORREST, POWELL & CO.,
mh25 53 Union street.

Notice.

ON the 28th of March, 1868, at the Court House door of the Circuit Court of Memphis, Tennessee, by virtue of an execution directed to me from said Court, at the January term, 1868, between the hours of ten a m. and four p.m., I will sell for cash, to the highest bidder, the following lot of land, being in this county, Tenth Civil District, in the town of Collierville: said lot is bounded on the east by Mr. M. Halley's and G. H. Davis' lot; on the north by the Methodist Church lot; on the west by the land of R. W. Ramsey; on the south by the Winchester State line road; contains one acre, more or less. Levied on as the property of James B. Abington, to satisfy an execution in favor of W. H. Jamison vs. H. A. Abington and James B. Abington. Said place is now the residence of James B. Abington. This 7th of March, 1868.

P. M. WINTERS

THE DAILY AVALANCHE.

FRIDAY, : : : : MARCH 27, 1868

OFFICIAL JOURNAL
OF THE CITY AND BOARD OF SCHOOL VISITORS.

Arrival and Departure of Trains.

MEMPHIS AND CHARLESTON RAILROAD.

	ARRIVE.	DEPART.
Through Mail Daily	6:00 P.M.	12:45 P.M.
Through Express Daily	10:45 P.M.	8:00 P.M.
Corinth Accommodation Daily, except Sunday		6:00 A.M.
Somerville Accommodation (Daily, except Sunday)	8:25 A.M.	5:00 P.M.

Railroad time twenty minutes faster than city time. Ticket offices, 278 Main street and at Depot.

☞ Through Express does not leave Saturdays or arrive Sundays.

MISSISSIPPI AND TENNESSEE RAILROAD.

	ARRIVE.	DEPART.
New Orleans Express—Daily	3:25 P.M.	4:15 P.M.
Sardis Accommodation, Daily, except Sunday	9:30 A.M.	1:30 P.M.
Freight, North, Monday, Wednesday and Friday; South, Tuesday, Thursday and Saturday	8:25 P.M.	5:30 A.M.

Takes effect Sunday, March 8, 1868.

MEMPHIS AND LOUISVILLE RAILROAD.

	ARRIVE.	DEPART.
Day Express	9:?5 A.M.	7:00 A.M.
Night Express	3:1. P.M.	4:00 P.M.

Railroad time 15 minutes faster than city. Ticket office, No. 237½ Main street. Depot head of Main street.

POST OFFICE ARRANGEMENTS.

CLOSING OF MAILS.

For Cairo, Chicago, St. Louis, Nashville, Louisville, Cincinnati, Cleveland, Pittsburg, Philadelphia, Buffalo, Albany, New York, Baltimore, and all cities North and West, at 2:30 p.m.

For Chattanooga, Richmond, Washington, Augusta, Columbus, Ga., Montgomery, Mobile, New York, Nashville and all cities South and East, at 12:45 p.m.

For New Orleans, Baton Rouge, Jackson, Vicksburg, Natchez, and all cities south, at 3:15 p.m.

All stations on Mississippi and Tennessee Southern and New Orleans, Jackson and Great Northern Railroads, at 3:35 p.m.

All stations on the Memphis and Louisville and Branch railroads, at 2:30 p.m.

All Stations on the Memphis and Charleston, Mississippi Central, Mobile and Ohio, Nashville and Decatur, Nashville and Chattanooga and East Tennessee Railroads, at 12:45 p.m.

ROBERT C. ?ORST, Postmaster.

Officers and conductors of railroads are requested to give no free transportation to any one on the credit of the Avalanche.

M. C. GALLAWAY & CO

MEMPHIS CLUB HALL.—Mr. Mitchell, late "old man" at the theatre, will take a benefit at the Memphis Club Hall to-night. A good bill is offered, and we hope his friends will rally and tender him substantial evidence of their appreciation.

SONS OF TEMPERANCE.—At the last regular meeting of Shelby Division No. 45, Sons of Temperance, the following brothers were elected officers for the ensuing quarter: A C Gillspie, W P; E C Titus, W A; Chas Coffin, R S; T H Shepher, A R S; A Caulk, F S; W C Lyons, Chaplain; Ed Miles, Con; L Dalfroff, A C; Lewis Beebler, I S; S R Gammon, O S; G S Dickinson, P W P.

A NEW MAGISTRATE'S OFFICE.—Mr. H. M. Griffith, who was elected Justice of the Peace in the Fourteenth Civil District at the late election, has opened an office at No. 346 Second street, just opposite the Court House. Mr. Griffith is well known to most of our citizens, and will no doubt make an efficient and impartial official.

THE NEW COURT HOUSE.—One of the oldest and most highly esteemed citizens of this county, has asked the AVALANCHE the following question: "How much has the new Court House cost the people of this county?" This inquiry will be answered by the AVALANCHE as soon as the facts can be obtained.

BURGLARY ON FRONT STREET.—Three negro burglars forced an entrance into the back door of Stanton & Moore's grocery house, on Front street, Wednesday night; two remained outside and the third went in and brought out a box of tobacco. A private watchman discovered them and gave chase. The two first mentioned escaped, but burglar No. 3, evidently determined to bear away his booty, was less fortunate, falling an easy prey. He gave his name as Bob Johnson.

TAXATION AND TAX PAYERS.—Heretofore property holders have given little attention to the action of assessors. Few have furnished descriptions of their property, and very few have shown the assessors what sub-divisions of original lots have been made. It results that many gentlemen who long ago sold parcels of land in the districts recently added to the city will find their names figuring among the long list of defaulters. To save costs and credit it would be well for owners of property to furnish written descriptions of lots which they own in the two new wards. There is an advertisement referring to this subject in another colum. In this connection it may be of interest to know that the assessed valuation of the whole of Fort Pickering is about $100,000. An equal area in North Memphis is deemed much more valuable.

MISS PIERSON'S BENEFIT.—We hope none of our theatre *habitues* will forget Miss Fanny Pierson's benefit, which is to take place next Monday evening at the New Memphis Theatre. Of her merits as an actress, it is useless to speak at this time. They are universally recognized and appreciated. But there is another fact which Southern people should not overlook. Although coming among us a stranger, she was no stranger farther South during the late war. For upward of four years she devoted her time and energies to the Confederate cause as matron of different Southern hospitals. Hundreds of soldiers now living have reason to thank her for acts of kindness when they were stretched, sick or wounded, on lowly cots. While there, as on the stage afterward and before, she did her duty, winning golden opinions from all. If she possessed no histrionic merit, this fact alone should cause her call for a testimonial to meet with a liberal response. Every seat in the theatre should be filled.

NEWS IN BRIEF.

Seventeen cases were disposed of in police court yesterday.

A negro laborer was drowned, Wednesday afternoon, off a coal barge on the river.

Mr. R. S. Saunders, United States Collector, has been directed to close every distillery in his district which has no bonded warehouse.

The Mr. Griffin, attorney, of Brown & Griffin, is not the gentleman who appeared for Hunter in the AVALANCHE case, the latter's initials being "G. L."

Jake Ackerman, a mackerel chief, was arrested by detectives McCune and Hastings yesterday. In his pocket was found a note of hand for $2,500, which had been abstracted from R. H. Skinner's pocket Tuesday night.

A countryman was swindled out of sixty-one dollars, yesterday, by a scalawag named Billy Raymond, who quickly gave up the money upon seeing Officer Smith approach.

Among the convicts recently pardoned out of the penitentiary are John Bonner, of Shelby county, sentenced May, 1866, to three years, for larceny, and Henry Ferguson, sentenced in 1867, from Hardeman county, for larceny.

On the fourth page will be found an interesting decision of the Supreme Court, delivered by Justice Milligan, relative to the presence of prisoners during their entire trial. The decision declares there can be no constructive presence.

The Spring term of the Supreme Court will be held at Brownsville, and not at Jackson, as is generally understood. It will commence on the first Monday (7th) of April. In a few days we shall publish the official order of business.

We are pleased to notice among the recent arrivals Mr. C. C. Gale, General Southern Agent of the Cleveland, Columbus and Lake Shore Rail road. He is hale and hearty, and bids fair to enjoy the good things of this world for many long years to come.

General Hindman's able defense of the people of Arkansas against Radical usurpations is winning him much renown. As has been already announced, he has taken the field, and is making telling speeches throughout the State to thousands. Last Tuesday he divided time, at Helena, with General Clayton, Radical candidate for Governor. We are informed by a gentleman who heard the debate that General Hindman's excoriation of the carpet bag candidate and his party was most withering. He not only pushed him to the wall, but through it. Our Arkansas friends are making a gallant fight. It would be remarkable if Arkansians did anything else.

The City Engineer and the Nicholson Pavement.

As the official proceedings of the Board of Aldermen, published yesterday, show, the city engineer has called attention to the condition of the Nicholson pavement on Main street. He alludes to the fact that in many places the pavement sinks beneath the weight of animals or vehicles, springing to its proper place with the removal of the pressure. This is attributed to the railway ties being unyielding, while the other portions of the pavement give way. This may be true as far as it goes; but it is not on Main street alone that the pavement fails to come up to the requirements. We have noticed the same tendency to yielding on Second and Madison streets, where there is no railway, although it is not so marked as on Main street. We fear there was too much disposition to hurry the work on all the streets, and as a natural result, frequent repairs will be necessary on all the streets. So far as Main street is concerned, the pavement by no means reaches the standard of excellence for which the people supposed they were paying. Between the railway track, Gayoso gas mains, and hasty paving, there has been some extensive botch-work. Already the city has been compelled to repave much of the space covering the gas mains, and we see nothing in the execution of this task to warrant the belief that its repetition will not be necessary in a few months. If the city engineer were to closely examine all the paved streets he would doubtless find material for another communication to the Board, although the deficiencies on Main street are more glaring than [illegible]

THE CONTESTED ELECTION.

Radical Frauds Exposed—Little General Smith in Confusion.

J. J. Sears' Commission a Forgery—Consternation in the Radical Camp.

Argument of the Case of McLean and Wickersnapper.

The case of Geo. Hayden (colored) against John Norton, (contest for the office of Constable of the Fourteenth Civil District,) coming up before the County Commissioners (Lee and Attorney General Hudson for Hayden and Judges Scruggs and T. W. Brown and Colonel Coleman, attorneys for Norton) on Wednesday.

J. J. Sears being required to produce his commission, proof was then introduced to show that the same was not signed by W. G. Brownlow, Governor, etc., and that the same was a forgery and void. This was clearly established by the testimony of some five respectable gentlemen, and no one to the contrary.

General W. J. Smith being sworn, said: I have *saw* Governor Brownlow sign his name and write frequently; knew his handwriting, and that seeing the signature to the commission he would take it to be Brownlow's signature.

But being asked by Judge Scruggs if he would swear that he believed it to be the genuine signature of Brownlow, or not, persistently refused to answer, when he was dismissed in disgust.

Barbour Lewis testified unhesitatingly that it was not the genuine signature of W. G. Brownlow, whose testimony was fully corroborated by J. D. Davis, J. W. Smith and others.

J. D. Davis testified that he always claimed that he was wrongfully and illegally removed from the office of Commissioner of Registration, and that the same was accomplished by the most corrupt means; that he was still Register, and that he had registered over 14,000 voters.

It was also proven that Sears registered near 9,000 voters—5,000 legal voters being, by the pretended authority and unlawful interference of said Sears, deprived of their rights at the ballot box; that the judges, under the instructions of said Sears, refused to receive any vote upon the certificate of J. D. Davis.

The law was read directing and requiring the Governor to sign each commission himself, and this being signed by another contrary to law is a forgery, and therefore void, and all acts done and performed by J. J. Sears under this forged commission are void.

Thus it clearly appears from this fact alone, to say nothing of the ten thousand other frauds perpetrated in and about the election, that the same was a stupendous swindle and absolutely void, and confers no right on the claimants to the offices to which they aspired.

The colored citizen manifest a lively interest in the contest, regarding it, no doubt, if successful, as the inauguration of the colored man's right to office, under which they will ere long assert their claim to an exclusive monopoly of all the offices in the State of Tennessee.

Therefore the solution of the contest, for many reasons, is fraught with extraordinary importance, and involves great principles which pertain to the future peace and prosperity of our State.

Judge Scruggs made an able and convincing argument against the right of Hayden to the office under the law. The court adjourned until 9½ a. m. to day, when the case will be resumed, and owing to its importance and the various interests involved, a large crowd will be in attendance. The white radicals are evidently scared up. They see that their four thousand votes in the city will count as naught at the next election, if the colored voters determine on running candidates for all the offices. The negroes see that they do all the voting and naturally will think they are entitled to all the offices; so look out carpet-baggers.

Yesterday the cases of McLean vs. Garvin, and Wickersnapper vs. Leonard, involving the same legal questions arising in the case of Hayden (colored) vs. Norton—except in the latter the repeal of the sixteenth section of the franchise act, were by agreement of counsel, consolidated. The argument was opened by Mr. Hudson, for McLean and Wickersnapper, who was followed by Judge Scruggs for the opposite side. Mr. Phelan spoke for McLean and Wickersnapper. Upon the conclusion of his speech, an adjournment was had until this morning, when Colonel E M. Yerger will make an argument for Garvin and Leonard.

MEMPHIS AND THE COUNTRY.

Forest Hill to be Opened to the Public Again.

Improvements and Inducements to Settle on the Memphis and Charleston Railroad.

A Ventilation of the City's Lungs, of a Practical Nature.

Forest Hill has recently passed in the hands of a gentleman named Almond, a native of Richmond, Virginia, but of later years identified with St. Joseph and Helena. He is a gentleman of great energy, fine practical sense and liberal ideas. It has been proposed to open Forest Hill, about the first of May, as a place of resort. The place is to be put in thorough repair, and under his skillful management will doubtless prove very attractive to many of our people this summer.

It is contemplated to give a ball there on the first of May, when a special train will be placed at the service of those going from the city. The dancing hall, dressing rooms, etc., are amply capacious for the purpose, and such arrangements are likely to be made as will ensure a large attendance and a pleasant occasion.

Mr. Almond desires to have the school reopened at Forest Hill as soon as the necessary arrangements can be perfected, but this laudable aim may be delayed some months on account of the fire which destroyed one of the college buildings some time since.

We learn that Esquire Moore, of this city, has bought a place adjoining Forest Hill, and already set out several hundred fruit trees and made other improvements, with a view of making that his future home.

Others in the neighborhood are making improvements and preparing to farm in the most energetic and improved style. The community is noted for its refined society, quiet, law-abiding citizens and social amenities. Being only eighteen miles from town, it is a convenient place for business men to make their summer quarters. Many families have already prepared to go there and to other points on the railroad accessible to the city when the hot summer months set in.

The Memphis and Charleston railroad officials are disposed to be accommodating to the public, and the time is not far off, we are assured, when trains will be run on schedules to suit all business men who are disposed to make their homes along the railroad as far out as Collierville. Some change may be made if found desirable during the summer, for the convenience of those who do not wish to keep their families here through the season of epidemics. Many people avail themselves of the Somerville accommodation train, and have already settled at McGhee's, White's, Ridgeway, Germantown, and further out.

Whenever the public become assured that trains will run permanently to suit business men, hundreds of people will buy lots and build homes on them along the road as far out as Collierville and even Moscow. These stations and towns will grow up into suburban proportions and features. The value of property will be enhanced hundreds of per cent.; land will be improved and cut up into gardens, orchards and vinegards, and the city, while expanding far into the country like all real cities do, will reap a rich benefit in cheap markets, improved general health and increase of substantial population.

It is said that the suburbs of a city are its lungs. If that is so, Memphis is weak in the chest, with a strong tendency to consumption. We have no public gardens of any consequence, no long drives, no place where the people may breathe freely, except out on the bluff. The extension of our suburbs out on the railroads, with cheap transportation adapted to business hours and working men, would be, if not a complete remedy, an infinite relief and advantage.

Gents' clothing at greatly reduced prices; gents' fall bosom and linen bosom shirts, $1 25; gents' hemmed handkerchiefs, 25c; gents' good cassimere hats, $2—at J. H. Loewenstine & Bro.'s, 231 Main street. Open till nine p.m. tf

Murray and Ridgely, merchant tailors, 31 Madison street, have received a well selected stock of cloths, cassimeres and vestings, which for style and quality, cannot be surpassed in this or any other city.

Victor D. Fuchs has just received a large supply of Savannah river shad, and keeps constantly on hand fresh butter, eggs, game of all kinds, and a large supply of family groceries, at 41 Jefferson street.

Petro Oil should not be used with the old fashioned coal oil burner. Use the comet burner.

BLEWIS, THE INFAMOUS.

History of His Late Illicit Speculations in County Warrants.

His Guilt Punishable by Fine, Removal and Disqualification.

Hudson, the Prosecuting Attorney, Refuses to Frame the Indictment.

A Solemn Oath Wilfully Disregarded—The Facts and the Law.

The Grand Jury Ordered to Reassemble and Make Thorough Investigation.

The revelations in the AVALANCHE of the latest infamy of the mountain of corrupt flesh known as Barbour Lewis was the sensation of yesterday. It was universally commented upon, and while none were surprised that he should connive at or perpetrate rascality, few believed even him capable of committing a grave misdemeanor so unblushingly. But that he is guilty of the grave charge is as certain as that the world stands. The evidence is positive, and neither Lewis nor his friends dare attempt to disprove it.

The importance of the case induces us to give a history of it, which has been obtained from a reliable source:

About three months ago several citizens ascertained that certain county officers were speculating in county warrants. We mentioned the affair, and called upon all persons possessing positive knowledge of the fact to report it to the Grand Jury. Two or three county officers interested themselves in ferreting the matter out, and a well known lawyer of the city was retained to accomplish the object desired.

An officer in a prominent Jefferson street bank and one in a Madison street banking institution were summoned before the Grand Jury. They appeared and gave evidence. It was conclusive—proving, without the shadow of a doubt, that Barbour Lewis, chairman of the County Commissioners, whose position enables him to form an idea of even the prospective value of them, had on more than one occasion speculated in county warrants. In direct violation of his oath he had bought these warrants at less than their nominal value. The gentlemen introduced to prove these facts are old residents, and of unimpeachable integrity.

An effort was made to secure Lewis' indictment before the Grand Jury then existing, but without success. It was found impossible to bring the prosecuting attorney to the point of framing the bill. It was understood that Hudson would throw every obstacle in the way of the prosecution. So the matter was dropped for the time.

It was believed by Lewis that his triumph was final. But the grand jury of the present term of the Court exhumed the charge. The same proof first introduced was again made; it was shown conclusively that this corrupt official had bought county warrants at a discount more than once, and at more than one place. The grand jury, as before, were rewarded for their efforts by the prosecuting attorney coolly refusing to take any action. His reason for so doing, as given by the Grand Jury, was because "no prosecutor has appeared before us."

There *was* a prosecutor, who failed to come before Mr. Hudson because he could not obtain an opportunity to do so. But Mr. Hudson cannot shield himself behind this unworthy subterfuge. If he did not know better, he is unfit to enter a court room. It is true that, according to section 5096 of the Code, no "District Attorney shall prefer a bill of indictment without a prosecutor marked thereon, unless otherwise expressly provided by law." But it *is* "otherwise expressly provided" in section 5097, which says that "a prosecutor is dispensed with, and the District Attorney may file bills of indictment, officially, and without a prosecutor marked on the same," on fourteen different grounds, one of which—and the first mentioned—is: "Upon a presentment."

Was there a presentment? The Grand Jury settle *that* question in a few words:

"Both of the foregoing cases have been *duly presented to the prosecuting attorney*, and he has been requested to frame indictments, which he *declines doing, for the reason that no prosecutor has appeared before us.*"

The solemn oath of Mr. Hudson, requires him to discharge the duties of his office without "fear, favor or affection." Section 3,961 makes it his *duty* to send all indictments, *ex officio*, in the cases prescribed in section 5,097, which is given above. Nothing is more clear than this.

We have the startling spectacle of a sworn officer wilfully violating the provisions of a law too plainly laid down to be mistaken. The Grand Jury prove that Barbour Lewis, "the Chairman of the Board of County Commissioners, while occupying such responsible position, has bought county warrants at less than their nominal value in several cases. The evidence of such purchases was so very clear and direct that we feel it our duty to present the case to the prosecuting attorney."

Section 4,815 says it is a misdemeanor "for any judicial, ministerial or executive officer, either directly or indirectly, to speculate in State or county claims, by purchasing or trading for them at less than their nominal value."

The penalty of this is not only fine, but removal from office, and disqualification forever from holding office under the laws and Constitution of the State.

Lewis was proved guilty; the prosecuting attorney had an imperative duty to perform. He had no option in the matter. Yet, to shield his personal and political friend from punishment, he has at least twice violated his solemn obligation. There was a time when such conduct as this could not go unpunished a single day; but in this era of Radicalism it will be regarded as but a new evidence of party fealty.

We are glad to announce that notwithstanding Hudson's chicanery in behalf of the infamous Lewis, the latter's gross misconduct is not to escape punishment. Yesterday Judge Waldran ordered the reassemblage of the grand jury to-day to investigate the matter. Even the pitiful dodge "no prosecutor" will be denied the attorney, for one will be on time. We shall see whether Hudson dare furnish another repitition of his disgraceful conduct.

The community is disgraced every day that Lewis remains in the position he has prostituted to the basest ends. Let him be hurled from it by the strong arm of the law.

DESTRUCTIVE FIRE.

Burning of a Business Block on the Batture.

Loss Estimated at About $30,000—Insurance, $14,000.

A little before two o'clock yesterday morning, Mr. Henry Cooper, a clerk in McLean & Monaghan's liquor store at the foot of Jefferson street, who slept in the building, was awakened by the strong smell of smoke, and a moment afterward realized that the block had been fired. He at once arose, and sought another room to awaken a brother of Mr. Monaghan. Both busied themselves in saving their effects, and lost little time in leaving the burning building. In his hurry Mr. Cooper, left a pair of pantaloons containing $175.

The flames, which originated in McLean & Monoghan's, spread so rapidly, that before the arrival of the engines they had attained too much headway to be arrested. The building was rendered a wreck, and the stock almost totally destroyed. Messrs. Hunn & Co., bakers in the basement, removed their stock and avoided loss.

We learn that Messrs. McLean & Monaghan are losers, in stock and fixtures, to the amount of $20,000. They are insured for $10,000—$5,000 in the Phœnix of New York, and $5,000 in the Manhattan of New York. The buildings belonged to Messrs. Elliott & Co., whose loss will not fall far short of $8,000. They are insured for $2,000 in the Ætna and $2,000 in the Manhattan.

This fire, of course, was the result of incendiarism. It is the third occurring in that row on the batture since the war.

COUNTRY MERCHANTS, NOTICE.—Great reduction in the price of prints, bleached and brown domestics, 10 4 sheetings, plain and striped osnaburgs and jeans, at J. H. Loewenstine & Bro.'s, Clay Building. Must close out the stock. tf

All-linen table cloths, 75c; towels, 16⅔c; hoop skirts, 50c; corsets, 75c; all-linen hem-stitched handkerchiefs, 25c; good Marseilles quilts, $2 50, at J. H. Loewenstine & Bro.'s, No. 231 Main street. Closing out. tf

Ladies' cloth gaiters from 50c to $1 25; children's shoes from 50c to $1; greatest bargains in boots and shoes; price of men's boots and shoes reduced—at J. H. Loewenstine & Bro.'s, Clay Building. Selling out, to quit business. tf

Planters wanting boots, shoes, or the very latest style of hats, should call at the large and magnificent house of J. T. Handlan & Co., where they are selling under cost. 1m

COST! COST!! COST!!!—The large and splendid stock of boots, shoes and hats—one of the finest in the South—to be closed out at less than Eastern cost, for cash, at J. T. Handlan & Co.'s, No. 279 Main street. 1m

IMMIGRATION.

The Movement in Mississippi—A Meeting in Holly Springs Yesterday.

HOLLY SPRINGS, March 26, 1868.

At a meeting at the court house to take into consideration the planting and mercantile interest of this county upon the subject of immigration, and to appoint delegates to the convention at Jackson on the 31st of March instant,

Colonel A. J. Withers was called to the chair upon motion, and W. M. Strickland, Esq., was appointed Secretary. After the object of the meeting was stated by the chairman, Colonel John McGuirk offered the following resolutions, which were unanimously carried, as follows:

Resolved, That the Chairman appoint a committee of delegates to attend the Planters' Convention to be held at the city of Jackson, Mississippi, on Tuesday, the 31st instant, to aid, if need be, in the organization of a State Immigration Company and such other auxiliary associations, either by States, counties or private stock companies, as will aid in developing the agricultural resources of the South by introducing immigrants, settlers and tillers of the soil, and such other questions connected with the enterprise as may be deemed proper.

Colonel McGuirk then read a dispatch from the President of the Mississippi Central railroad company, stating that the delegates would be passed to and returning from the convention free of charge.

A motion was offered by Colonel Upshaw that the Chairman be permitted to make the appointments to the convention at his leisure. This was withdrawn, and the Chairman appointed the following gentlemen as delegates from this county, to wit:

NAMES OF DELEGATES.

J W Fant, John H Miller, Dixon Topp, T G Malone, A M Hardin, J B Conley, T G Hudson, William Hall, John McGuirk, James Potts, Dr T Sale, George Boggan, Dr J S McRaven, John B Faut, William F Mason, J H Ricord, W W Wallace, A M Clayton, M Jones, H E Williamson, S Boling, Colonel Man, H Manning, Colonel E W Upshaw, W M Strickling, William Cramp, Senior, Colonel William Lumpkin, B Trigg, John M Anderson, Major Kinlock Falconer, F B Shaforee, M J Coxe, Samuel Frank. To which may be added the chairman of this meeting, Colonel A J Withers.

Resolved, That the proceedings be published in the Holly Springs *Reporter* and *Clarion*, and Memphis papers.

A. J. WITHERS, Chairman.
WILLIAM M. STRICKLAND, Secretary.

GRAND JURY.

Text of the Suppressed Paragraph of the Report.

We subjoin four paragraphs—the pith of the recent report of the Municipal Grand Jury—which it was impossible to give in full yesterday:

In the early part of our session we received partial information of informalities in the office of the County Tax Collector. Some little difficulty in getting witnesses and books before us, and other business which at the time seemed to be of more importance, prevented an immediate and full investigation of the matter.

It now appears to us, however, from testimony, and from books obtained from the Tax Collector's office, that the County Tax Collector has been in the habit of withholding certain moneys of the county from the Trustee, and paying the same to certain other county officers for county warrants at par. As these transactions have been made while the county treasury was without money to meet just demands in their legitimate course, while evidences of county indebtedness were depreciated in the market 12½ to 25c on the dollar, while the County Commissioners were adding the depreciation to scrip in payment of cash bills, and these facts must necessarily have been known to the Tax Collector, we cannot look upon the transaction in other light than as a misdemeanor on the part of the Tax Collector.

It appears, also, from testimony given to us, that the Chairman of the Board of County Commissioners, while occupying such responsible position, had bought county warrants at less than their nominal value in several cases. The evidence of such purchases was so very clear and direct that we felt it our duty to present the case to the prosecuting attorney.

Both of the foregoing cases have been duly presented to the prosecuting attorney, and he has been requested to frame indictments, which he declines doing, for the reason that no prosecutor has appeared before us.

TRAGIC.

Fatal Result of an Accident to a Well Known Citizen.

Two or three evenings since Mr. Robert Banks, a well and favorably known citizen, was thrown from his buggy in South Memphis, and last evening he expired from the injuries received by the fall. He was a son of Enoch Banks, who was once Mayor of the city, and, was formerly a partner in the planing mills of Moore, Halstead & Banks. His wife died about one year ago, and he was returning from Elmwood cemetery, where he had been to plant flowers on her grave, when his horse suddenly took fright and ran away, causing the fatal catastrophe. The deceased was about forty years of age.

His death has thrown a peculiar shadow in the walks of life where he was well known. He was greatly devoted to his wife in her lifetime, and since her death had never recovered his accustomed cheerfulness. That he should meet his death when just from the city of the dead where his affections were buried, and where he placed the first flowers of spring, the symbols of hope, was peculiarly melancholy and touching.

THE COURTS.

LAW COURT—*James O. Pierce, Judge, etc.*—The causes set for hearing to-day are as follows:

421 Pointer et al vs Kinney et al
422 Hillman Bros vs Healey
423 Layton vs Campbell & Co
424 Pierce et al vs Irwin
425 Horner vs Winters
426 Lagomarsino vs Greenlaw & Co
427 Union Bank vs Titus et al
428 Smith vs Calhoun
429 Kendig vs Jelly

If the above cases are disposed of in time, writs of inquiry will be heard.

CHANCERY COURT—*Wm. M. Smith, Chancellor.* The following orders and decrees were entered on yesterday:

Overton vs Stovall; sale order
Abington vs Abbington; demurrer overruled
Alexander vs Rose; sale confirmed
Orgill vs Baker; sale order
Cobb vs Gibson; same
Edmonds vs Bates; same
Clode vs Aiken; sale confirmed and reference
Horrigan vs Winters; demurrer overruled
Stanton vs McLeod; sale confirmed and final
Thweat vs Calhoun; sale order
Harrell vs Brown; final decree
Lumpkin vs Wickersham; reference to Clerk and Master
Loeo vs Pool; same
Stetthelmer vs Kaufman; same
McNair vs Gay; sale order
Brown vs Hutchinson; final decree
Apperson vs Hunt; same

To-day being motion day, the Clerk will call the roll of solicitors, commencing at letter A. Should there be time after roll call, the causes set for hearing on Wednesday will be called up on hearing.

BANKRUPTCY COURT—*J. T. Latham, Register.*—The following petitions have been found incorrect in form by the Register: Jesse W. Page, Marcus Skaller, T. M. Gardiner, Robt. H. Golightly, Chas. Michie, Wm. A. Hill.

UNITED STATES COURT.—*C. F. Trigg, Judge.*—Yesterday a continuance was granted in the case of Wasson vs steamer Zephyr. Long vs Rains, demurrer sustained. 680. Reeves vs Memphis and Charleston Railroad, jury trial and judgment for plaintiff in the sum of $10,946 01. Cases numbers 171, 173, 121 were continued. The case of Moore & Co vs Hughes was heard on argument. Judge Trigg will give his charge to the jury to-day. The following petitions in bankruptcy have been filed with the clerk since the 20th instant: Lafayette Veal, W H Simons, J M S Welsh, Edward E Angus, G W Carson, James M Pyles.

MUNICIPAL COURT—*George W. Waldran, Judge.* The members of the grand jury, discharged on Wednesday, are hereby notified to meet at the court room, at ten o'clock to-day, Judge Waldran having ordered their recall for the purpose of settling up unfinished business.

The following business was transacted yesterday:

The State vs. Joseph Lipari, submitted and found guilty; fined five dollars in each case.

104 and 105 the State vs H. C. Carter, gaming, forfeitures taken against two witnesses and a *nol pros* entered in the case.

The marshal was ordered to bring out of jail all prisoners to-day for the purpose of having counsel assigned for their defense.

All defendants in criminal cases that have been continued, are notified to appear to-day and renew their bonds.

The cases set for trial to-day are as follows:

995 to 1,005 The State vs Woodward & Fuller.
755 to 855 The State vs Dale & Morrison.
856 to 902 The State vs Jane Schooles.

The following civil cases will be heard to-day on writ of inquiry—appearance docket:

Nos: 1,494, 1,915, 1,203, 1,203, 1,518, 1,543, 1,793, 1,819, 1,785, 1,350, 1,601, 1,224, 1,616, 1,775, 1,274, 1,745, 1,757, 1,221, 1,320, 1,789, 1,230, 972, 1,460, 1,621, 679, 1,313, 1,013, 686, 1,222, 1,733, 1,904, 1,866, 166.

SPRING GOODS.—Murray & Ridgely, merchant tailors, No. 31 Madison street, have just received their spring stock, consisting of the finest and most fashionable goods in the market. Give them a fall. tf

The Arkansas Movement in Favor of Conservative Immigration.

HELENA, March 13th 1868.

EDITORS AVALANCHE:—An opportunity is offered in the city of Helena, which, if rightly embraced, will secure the prosperity of those immediately interested. The great bulk of the citizens of Helena are Southern men, conservative in principle, and patriotic in intention. Since the close of the war these men have been compelled, by the force of circumstances, to patronize certain branches of business, carried on by men whose political views and daily practice are at variance with the best interests of this people. The least objection to these men is that they are Yankees and negroes; it is the sedition and incendiarism which they teach and daily practice. What has elicited the solemn determination of the people of Helena to cease to contribute a single dime to the sustenance of these ungrateful fools and designing knaves, who have given us a modern illustration of the fable of the frozen snake. You of Memphis have a surplus of your industrial population—that portion of it who are white and conservative, or black and true to the real friends of the blackman. We want some of them. We want a first class tinner, who can connect with his legitimate trade a lucrative hardware business. No one-horse concern do we want, but a tinnery and hardware house which can supply every want of that trade as required in your own or any other city. We want a dozen white Conservative, honest, industrious draymen. They can do a No 1 business here, and every merchant in town, except three, who tremble under the radical lash, have promised to sustain them. Let them come, and come at once, assured of a full patronage and a cordial welcome. We want, and must have, one or two well regulated, neat, and if possible, elegant barber shops, owned and carried on by white or colored men, who must be Conservative to the core—that is essential. A hundred and fifty gentlemen have pledged themselves to sustain them, and our whole population will extend to them a thorough and hearty support. We have heard dozens of gentlemen exclaim since the recent sneaking hostility to Southern men, white and black, and the Radical-worshiping proclivities of the two nigger barber shops of Helena, that they never would have tonsorial operations performed here while these fellows were the only knights of the razor-strop to be found in the city. The present shops are simply nuisances. Let Conservative barbers come, and if they unite with their business the art of good musicians they will pocket many an X at balls and parties now monopolized by Radical nigs. We sadly need a few No. 1 blacksmiths, carpenters, tailors and house and sign painters; and if you could send us two or three dozen experienced house servants (white) you would confer a benefit on us and them. There are dozens of occupations here now filled by idle, thankless, Yankee duped niggers, from which they derive an easy and good living, and from which they nightly sally forth to attend Loyal Leagues, which ought to be and could be much more profitably filled by white men—white men now in destitution, who vote with us and act with us, who are not Radical spies and pimps, and who deserve to be sustained. Send them along; they will all be welcome. Yours, PUBLIC OPINION.

Demise of S. Kibbee—Tribute of Respect by Memphis Typographical Union, No. 11.

WHEREAS, The Great Distributor of Events has closen the last chapter in the Life of our Fellow-Craftsman, S. KIBBEE, and left us a Volume of Actions, wherein we find nothing to condemn, but, much to admire, as a Brother and a Workman; therefore,

Resolved, by the Memphis Typographical Union, No. 11, That in the death of S. KIBBEE their Association has lost a useful member, society a worthy man, and a large family a kind protector and provider.

Resolved, That as his career as a disciple of Faust was worthy of imitation, we keep the memory of our deceased Brother green in our hearts, and wear the usual badge of mourning as an emblem of our sorrow.

Resolved, That we sincerely sympathize with the family of deceased in their affliction, and hope the Great Father, who dispenseth blessings to all his children, may soothe their suffering.

J. B. SYNNOTT,
S. H. HOMAN, Committee.
JAMES DOYLE,

Ordered to be published in the city press.

WM. F. WHITE, Secretary.

K. K. K.—C. B. Warner, 41 Monroe street, is selling sash, doors and blinds, at less than cost, to close business. 2w

DR. JAMES.—Great numbers of the citizens of Memphis and country adjoining are improving the chance now offered to consult this celebrated specialist. Read his card in another column. Rooms 199 Main street, Webster Block. Hours nine a.m. to one p.m. and from two to six p.m.

Grand opening of baby goods and other novelties, at Menken Brothers.

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SWEET POTATOES.—A choice lot of sweet potatoes, at West, Coffin & Co.'s, No. 414 Main street, near Beale.

RIVER NEWS.

DAILY AVALANCHE OFFICE,
FRIDAY, March 27.

BOATS LEAVING TO-DAY.

Belle St. Louis	ST. LOUIS	5 p.m.
Minneola	CINCINNATI	5 p.m.
May Flower	EVANSVILLE	5 p.m.
Natoma	FRIAR'S POINT	5 p.m.

BUSINESS—WEATHER—RIVERS.

Weather clear and cool. The river here is still swelling and is gradually encroaching on the levee, but will probably come to a stand to-day, as all the upper streams are declining rapidly. At St. Louis the river is receding slowly, with a good stage out to Cairo. The Ohio is falling from Pittsburg down to Evansville, with fifteen feet in the canal and eleven feet steamboat water on the falls. White river continues at high tide. The Arkansas is declining rapidly, with nine feet water in the channel to Little Rock.

ARRIVALS.

Steamer Centralia, Little Rock.
" Pauline Carroll, New Orleans.
" Alice Dean, New Orleans.
" Belle St. Louis, St. Louis.
" May Flower, Evansville.
" Alice V., New Orleans.

DEPARTURES.

Steamer Pauline Carroll, St. Louis.
" Adam Jacobs, St. Louis.
" Alice Dean, Cincinnati.
" Florence Traber, Little Rock.
" Tempest, White river.
" Alice V., Cincinnati.

BOATS IN PORT.

Natoma, Centralia, Minneola, Belle St. Louis, May Flower.

MISCELLANEOUS.

Business on the wharf yesterday was extremely dull, with freights for all points scarce.

The Florence Traber cleared for Arkansas river with a good freight trip.

The Adam Jacobs backed out for St. Louis with twelve bales of cotton.

The Tempest, of Louisville, en route to White river, was to have left last night, but was delayed in patching her boilers, which are none of the best. She is a true specimen of the Ohio river played-out stern wheelers.

The Centralia arrived from Little Rock Wednesday night. She brought out 800 bales of cotton, which she reshipped on the Governor Allen for New Orleans. The Centralia leaves on Monday night for the raging Arkansas.

The Natoma, Captain James Lee, leaves to-day at five p.m. for Friar's Point, Moon Lake and way points in the bends. Billie Fields and Stack Lee, two attentive clerks, have charge of the office.

The Airdrie coaling depot is removed from Haile's Point, and permanently established at Fulton, Tennessee, where steamboatmen will find it to their interest to coal. This coal is A No. 1.

The Minneola, Captain Miller, is announced for Cincinnati to day at five p.m.

The Mayflower, Captain J. V. Throop, will be in port this morning to receive for Cairo and Evansville, and leave at five p.m. Duke Nicholson and Charley Throop are her clerks.

The regular Saturday White river mail packet Liberty No. 2 will be in port to-day to receive for White river and all way points, and leave to-morrow at five p.m.

The Belle St. Louis, Captain Zeigler, leaves to-day at five p.m. for St. Louis.

The Great Republic and Lady Gay are due from New Orleans, en route for St. Louis.

The Ruth is due from St. Louis, en route to New Orleans.

The following are the rates of freights from St. Louis to New Orleans by boats—Flour, 40c; pork, 65c; corn, 30c; oats, 35c; pound, 25@75c. By barge—Flour, 35; pork, 57½c; corn, 27½c; oats, 32½c; pound, 22½c. To Memphis—Flour, 35c; pork, 50c; corn, oats, hay, bacon, etc., 20c per 100 pounds; pound freight, 20@30c.

Captain Jo. Brown and Captain John Bofinger are at Jefferson City, Missouri, buying over the "true Loil" legislators who misrepresent Missouri, to secure legislation favorable to their interests. Joe Brown, who is truly "loil," and, like all Radical thieves, wishes to avoid paying the Government tax on his steamboat interest, has also petitioned the Legislature to take off the tax on steamboats, and to have about ten thousand dollars remitted to the Atlantic and Mississippi Steamship Company, which they claim was in excess of a reasonable taxation; and to prevent, if possible, the passage of the bill permitting the citizens of St. Louis to vote whether or not the city shall indorse the bridge bonds.

Captain Jim. White has taken temporary command of the R. E. Lee.

The river at Cairo is declining rapidly and will commence falling here to-day.

The St. Louis Clerk's Union Association at a recent meeting in that city, elected the following officers: Samuel Beltzhoover, president; Joe Robinson and John Lyle, vice presidents; John Clemens, Junior, secretary; G. H. Deane, corresponding secretary, and George H. Reader, treasurer.

The Pauline Carroll and Alice Dean passed up yesterday morning.

Mat. Monaghan's boat store in the Bradley Block was burned out night before last. Mr. Cooper and Mr. Monaghan, the clerks, sleeping over the store, came near being burned up. They lost all their clothing. Mr. Cooper lost a valuable watch, and one hundred and seventy-five dollars.

A thunder storm, with heavy rain, prevailed at St. Louis on Tuesday.

The Zephrey was to be sold by the United States Marshal, at St. Joseph, on Wednesday. The claims against her amount to $6,000.

The latest news from other ports will be found among our telegrams.

Rates of freight at St. Louis, for New Orleans, have advanced thirty per cent.

The Longworth arrived at Evansville on Tuesday, and will probably lay up.

The Darling was to have left Cincinnati on Wednesday for this port.

Louisville dispatches, of the 24th, give the following:

The river is falling fast this evening, with fourteen feet in the canal, eleven feet steamboat water on the falls. Weather clear. Thermometer 70°. The Rob Roy, Empire and W. F. Curtis passed up. The New State departed for Pittsburg; she took 2,000 sacks wheat and 200 bundles cane poles off the Norman. The Cora S. reshipped 3,000 sacks corn, on the Empire, for Cincinnati. The Legal Tender came over the falls, and received 1,000 barrels cement, at Jeffersonville, for St. Louis. The total of coal boats run to this port from Pittsburg, sums up twenty-four boats with fifty one barges, and 106 boats, with 2,500,000 bushels of coal. The total exports, thus far, were ten boats with 1,400,000 bushels of coal. Nearly 1,000,000 bushels are moored at the foot of the falls, for transhipment South. The W. F. Curtis passed up last night with 9,100 sacks of corn, for reshipment East, via the Baltimore and Ohio railroad, from Parkersburg.

BUSINESS NOTICES.

A cough, a cold or a sore throat requires immediate attention and should be checked. If allowed to continue, irritation of the lungs, a permanent throat disease or consumption is often the result. Brown's Bronchial Troches, having a direct influence to the parts, give immediate relief. For bronchitis, asthma, catarrh, consumptive and throat diseases, Troches are used with always good success. Singers and public speakers use them to clear and strengthen the voice. Obtain only "Brown's Bronchial Troches," and do not take any of the worthless imitations that may be offered. Sold everywhere. eod4m

Mrs. Winslow's Soothing Syrup, for children teething, greatly facilitates the process of teething, by softening the gums, reducing all inflammation; will allay all pain and spasmodic action, and is sure to regulate the bowels. Depend upon it, mothers, it will give rest to yourselves, and relief and health to your infants. We have put up and sold this article for years, and can say in confidence and truth of it what we have never been able to say of any other medicine—never has it failed in a single instance to affect a cure, when timely used. Never did we know an instance of dissatisfaction by any one who used it. On the contrary, all are delighted with its operation, and speak in terms of commendation of its medical effects and medical virtues. We speak in this matter "what we know," after years of experience, and pledge our reputation for the fulfillment of what we here declare. In almost every instance where the infant is suffering from pain and exhaustion, relief will be found in fifteen or twenty minutes after the syrup is administered. Full directions for using will accompany each bottle. Be sure and call for "Mrs. Winslow's Soothing Syrup," having the fac-simile of "Curtis & Perkins" on the outside wrapper. All others are base imitations. Sold by all druggists throughout the world. Price only thirty-five cents per bottle. Offices—215 Fulton street, New York; 205 High Holborn, London England; 441 St. Paul street, Montreal, Canada.

MONETARY.

DAILY AVALANCHE OFFICE,
FRIDAY, March 27, 1868.

Local finances remain quiet and steady, with little animation exhibited in the market. Money continues to rule close with little doing in the discount market. The rates of interest are firm and unchanged. Exchange is firm and scarce, buying at ⅜@¼ off, and selling at ¼c. premium.

GOLD—Firm, with a fair demand and little offering. Dealers are offering 37½@38c., and selling at 39@39½c.

SILVER—Steady, buying at 128@129c., and selling at 130@131c.

CITY SCRIP—The market yesterday was quiet but firm, there being a fair speculative demand with little offering. Dealers were offering 65c. and holding at 67@68c.

COUNTY WARRANTS—Ruled dull and nominal with little doing in the market. Dealers were offering 50c. and holding at 52@55c.

POLICE SCRIP—Is firm and steady, buying at 85@86c., and selling at 88@89c.

COMMERCIAL.

DAILY AVALANCHE OFFICE,
FRIDAY, March 27, 1868.

Business in the general market yesterday exhibited a fair movement. During the morning the market was well supplied, with an active city trade doing. Provisions and breadstuffs are firm and active. The other markets are steady and unchanged.

Cotton.

The market yesterday was dull and nominal at the previous day's quotations. There was a fair inquiry, with buyers offering 23½c. for middling, but holders were unwilling to sell at that rate, and held firm at 24c. The market throughout the day was inactive, and exhibited very little spirit. Holders were firm and buoyant, with few buyers on the market that were disposed to operate. A few bales of lower grades changed hands at irregular rates. The market closed quiet. Our quotations are nominal. The New York market closed active, at full prices. Sales for the day 4,000 bales. The Liverpool market closed firm. Sales for the day 12,000 bales; uplands, 10½d; Orleans, 10¾.

MEMPHIS COTTON QUOTATIONS.

Ordinary	21 @21½
Good Ordinary	22 @22½
Low Middling	23 @[illegible]
Middling	23½@[illegible]
Strict Middling	nominal
Good Middling	nominal

Cotton Statement.

CHAMBER OF COMMERCE,
MEMPHIS, March 26, 1868.

Stock on hand Sept. 1, 1867		1,080
Received to-day	473	
Received previously	239,412	239,885
		240,965
Exported to-day	863	
Exported previously	233,511	234,374
Stock on hand and at presses		6,591

MARKETS BY TELEGRAPH.

NEW YORK MARKET.

NEW YORK, March 26.

Cotton firmer. Sales 4,800 bales; uplands, 25@25½c. Rice quiet. Coffee firm. Sugar less active; Cuba, 11½@13¼c; Porto Rico, 13¼c. Molasses quiet; Cuba, 50c. Flour 5c. better. Corn dull; $1 26@1 28.

NEW YORK MONEY MARKET.

NEW YORK, March 26.

Money is active and firm. Call loans 7 per cent. Sterling dull, 9⅜@9½. Gold, 38¾. New Tennessee's, 66¾.

NEW YORK DRY GOODS MARKET.

NEW YORK, March 26.

Printed calicoes active and excited; Womsutta, 8½c; Lowell, 10c; Amoskeag, 11¼c; Cochur, 14c. Heavy sheetings, Indian head, 18c; Lymon, 16¼c. Print cloths, 8⅜@9c.

ST. LOUIS MARKET.

ST. LOUIS, March 26.

Tobacco steady and unchanged. Flour dull; superfine, $7 00@8 50. Wheat, red winter, $2 60@$2 75. Corn firmer, 86@88c. Oats, 60@70c. Pork firmer, $25 00. Bacon quiet; shoulders, 11¼c; clear sides, 15c. Lard quiet, 16¾c.

NEW ORLEANS MARKET.

NEW ORLEANS, March 26.

Cotton quiet. Sales 2,000 bales; middling, 24@24½c. Receipts, 764 bales. Exports, 3,288 bales. Flour quiet but firm; XX, $10 62½. Corn in good demand, $1 00@1 02½. Oats, 75@77c. Pork very dull, $26 25. Bacon unchanged, only a jobbing business doing. Lard, 17½@18c. Gold, 40. Bank sterling, 52½@53c. New York sight, ⅛@¼ premium.

LOUISVILLE MARKET.

LOUISVILLE, March 26.

Tobacco firm. Sales 249 hhds; lugs, $5 25@7 25; medium leaf, $10 00@13 00; selections, $19 25; Green river manufacturing leaf, $22 75. Flour, superfine, $8 50@9 00; fancy, $12 50@13 00. Wheat unchanged. Oats, in bulk, 70@72c. Corn, shelled in bulk, 78@80c. Lard, 16¼@16½c. Bacon shoulders, 11¾c; clear sides, 15¾c. Bulk shoulders, 10¾c; clear sides, 14¼c. Mess pork, $25 50.

CINCINNATI MARKET.

CINCINNATI, March 26.

Flour dull. Wheat unchanged. Corn dull, 84c. Rye, $1 70@1 75. Fall barley, $2 80@2 90. Mess pork, $24 75@25 00. Bulk shoulders, 10½c; sides, 12½c, but held ¼c. higher. Bacon shoulders, 11½c; rib sides, 13½c; clear rib sides, 14½c; clear sides, 15c. Lard dull and nominal, 16@16½c. Sugar cured hams, 17¾@18c. Sugar is held ½c. higher. Coffee quiet but steady. Eggs, 20c. Butter, 47@50c. Clover seed, $13 00@15 00. Timothy, $2 30@$2 45. Flax seed, $2 15@2 25. Hay, $13 00.

FOREIGN MARKETS.

LONDON, March 26—Evening.

Consols closed at 93@93⅛. Five-twenties, 72@72¼. The bullion in the Bank of England has increased £157,000 during the week.

FRANKFORT, March 26—Evening.

Five-twenties closed, 75¾@75⅞.

LIVERPOOL, March 26.

Cotton closed at the following prices: middling uplands to arrive, 10½d; on the spot, 10¼d; Orleans, 10¾d. Sales 12,000 bales. Breadstuffs steady.

STEAMBOATS.

We request the officers of steamboats to recognize no one as an attachee of the AVALANCHE without the proper letters stamped at the office.

FOR CINCINNATI.

Dean Line.
Regular Memphis and Cincinnati Packet.
For Cairo, Louisville, Evansville and Cincinnati.
Minneola .... Miller, master
This elegant and swift steamer will leave as above THIS DAY, March 27, at 5 p.m.
JAS. T. BOURNE & CO., Agents,
No. 12 Jefferson street.
mh27

Dean Line.
Memphis and Cincinnati Packet.
For Cairo, Louisville and Cincinnati.
Minneola .... Miller, master
This elegant passenger steamer will leave as above THIS DAY, March 27, at 5 p.m.
LEVY & MILLER, Agents,
5 Jefferson street.
mh27

FOR ARKANSAS RIVER.

U. S. Mail Line.
Regular Memphis and Arkansas river packet.
For Pine Bluff, Little Rock and Fort Smith, Direct.
Centralia .... Nowland, master
This new and splendid passenger steamer leaves MONDAY, March 30, at 5 p.m.
JAS. T. BOURNE & CO., Agents
12 Jefferson street.
mh27

FOR ST. LOUIS.

Memphis and St. Louis Packet Company,
For Hickman, Columbus, Cairo and St. Louis.
Belle St. Louis .... Zeigler, master
This splendid packet will leave as above on THIS DAY, March 27, at 5 p.m.
FLEM. CALVERT, Superintendent.
mh27

FOR FRIAR'S POINT.

Regular Semi Weekly Packet
For Friar's Point, and Moon Lake.
Natoma .... Lee, master
This fine passenger packet will leave as above THIS DAY, March 27, at 5 p.m.
For freight or passage apply on board
mh27

FOR WHITE RIVER.

U. S. Mail.
Regular Memphis and White River Saturday Packet
For Helena, Duvall's Bluff, Augusta, Des Arc and Jacksonport.
Liberty No. 2 .... Cabell, master
This splendid passenger packet will leave for above on SATURDAY, March 28, at 5 p.m.
LARRY HARMSTAD & CO., Agents,
Corner Main and Madison streets,
Or at City Wharfboat, foot of Monroe.
mh26

U. S. Mail.
Regular Memphis and White River Saturday Packet
For Helena, Duvall's Bluff, Augusta, Des Arc and Jacksonport.
Liberty No. 2 .... Cabell, master
This elegant steamer will leave for the above on SATURDAY, March 28, at 5 p.m.
LEVY & MILLER, Agents,
5 Jefferson street.
Captain SAM SHOCK and JAMES SAYERS, passenger agents, Office Overton Hotel.
mh26

Regular Memphis, Cairo and Evansville Weekly Packet.

THE NEW AND ELEGANT STEAMER
MAYFLOWER,
J. V. THROOP .... Master
WM. DUNN and DUKE NICHOLSON .... Clerk

WILL leave Memphis EVERY FRIDAY, connecting at Cairo with the cars for all points east and West; at Paducah with Cumberland and Tennessee river packets; at Evansville with the Louisville mail packets. Returning, leave Evansville EVERY TUESDAY. Way business solicited; will make regular trips, and pay prompt attention to way business. The MAYFLOWER will land at every shipping point between Memphis and Evansville. For freight or passage, apply on board. fe28

Memphis and New Orleans U. S. Mail Line.

FOR VICKSBURG, NATCHEZ AND NEW ORLEANS—
REGULAR THURSDAY PACKETS.

The splendid Passenger Packet,
HENRY AMES,
CAPTAIN J. FRANK HICKS,
Will leave Memphis, as above, on THURSDAY, January 23d, at 5 o'clock p.m., and every alternate Thursday thereafter during the season.

The splendid Passenger Packet,
GEN. QUITMAN,
CAPTAIN JAMES WHITE,
Will leave Memphis for New Orleans on THURSDAY, January 30th, and every alternate Thursday thereafter during the season.

The above boats carrying the United States Mail, will leave promptly as advertised, and passengers and shippers can depend upon them remaining permanently in the trade. By strict attention to business, they hope to merit and receive the patronage of the public. Particular care given to all way and plantation business. For freight or passage apply on board, or to
LARRY HARMSTAD & CO., Agents,
Corner Main and Madison streets,
Or City Wharfboat, foot of Monroe street.
ja22

MEMPHIS & ARKANSAS RIVER
UNITED STATES MAIL
PACKET LINE

For Napoleon, Pine Bluff, Little Rock, Van Buren, Fort Smith and Fort Gibson.

THE above line has been fully organized, and comprises the following first class boats, viz:

CELESTE .... Pritchard, master
CENTRALIA .... Nowland, master
OZARK .... Hambleton, master
GLEANER .... Blaisdell, master

One of the above named boats will leave Memphis EACH MONDAY AND THURSDAY during the season for Little Rock, and there make close connections with the following boats, (belonging to the same Company):

For Dardanelle, Van Buren, Fort Smith and Fort Gibson, viz:

VAN BUREN .... Smith, master
AMERICAN .... Nowland, master
FORT SMITH .... Rowland, master

The latter boats were built expressly for the trade, and are now running to Dardanelle; and as soon as the water will permit, will extend their trips to Fort Smith and Fort Gibson.

Shippers and the traveling public may rely upon the above schedule; and should any increase of business require it, an other boat will be added, making three boats from Memphis each week. Feeling assured that increased facilities will bring an increase of business, the proprietors of this line are determined to do their part.

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JAMES T. BOURNE & CO., Agents,
No. 12 Jefferson street.
THOMAS B. KIRNAN,
General Passenger Agent.
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No. 273 Front street.
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100 pieces Table Damask,
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500 pieces Mull and Nainsook,
1,000 pieces Bleached Domestic,

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4	12 00	16 00	18 00	20 00	15	52 00	56 00	60 00	64 00
5	15 00	19 00	21 00	24 00	16	56 00	60 00	64 00	68 00
6	18 00	21 00	24 00	28 00	17	60 00	64 00	68 00	72 00
7	21 00	24 00	28 00	32 00	18	64 00	68 00	72 00	76 00
8	24 00	28 00	32 00	36 00	19	68 00	72 00	76 00	80 00
9	28 00	32 00	36 00	40 00	20	72 00	76 00	80 00	84 00
10	32 00	36 00	40 00	44 00	21	76 00	80 00	85 00	88 00
11	36 00	40 00	44 00	48 00	22	80 00	85 00	88 00	90 00

Advertisements for three months same proportion, less ten per cent; six months same proportion, less twenty per cent.

LEGAL.

Decisions of the Supreme Court of Tennessee at Nashville, December Term, 1867.

Reported for the Union and Dispatch, by S. J. Henderson, Attorney at Law.

"It is error for the Court to re-state, 'in substance,' a portion of his original charge to the jury, in the absence of the prisoner."

Same—The prisoner must be personally present throughout his entire trial.

Lucius Witt (colored) vs. the State.

The prisoner, Lucius Witt, a man of color, was indicted in the Criminal Court of Rutherford county for the murder of Samuel Cunningham, also colored. He was subsequently tried, convicted, and sentenced to be executed, from which he has appealed to this court.

After the court charged the jury and remanded the prisoner to jail, they retired to consider of their verdict; and after remaining out for several hours, they returned in a body into court, and upon being asked if they had agreed in their verdict, they replied they had not. They were then inquired if there was any disagreement among themselves as to the charge of the court, to which they responded there was. The court instructed them to retire and ascertain the matter of disagreement, and then again return and report it to the court. They did so, and upon their return reported, their misunderstanding related to that portion of the charge in which the distinction was drawn between murder in the first and murder in the second degree. Thereupon the court proceeded in the absence of the prisoner, but in open court, and in the presence of his counsel, to re-state in substance that portion of his original charge in relation to the distinction between murder in the first and second degree. The jury again retired, and soon thereafter returned with a verdict of guilty, and upon which the court, after overruling a motion for a new trial, pronounced sentence of death upon the prisoner.

Under this state of the record, the single question is presented whether or not it was error for the court to restate "in substance" a portion of his original charge to the jury in the absence of the prisoner?

By the vigorous rule of the *ancient* common law, which has been greatly relaxed by the advance of civilization and Christian philanthropy, the prisoner even in capital cases, which tried upon the general issue, was bound to make his own defense. No counsel was allowed him unless some point of law arose proper to be debated, 4 Black, com. 255. This same iron rule rested on the maxim that "the Judge is counsel for the prisoner," which seems to signify nothing more than that the Judge shall take care that the prisoner does not suffer for the want of counsel. The Judge is counsel only for public justice, and to promote that object alone, all his inquiries and attention ought to be directed, but this rule as far back as the days of Cicero and Panastius, was felt to be exceedingly harsh and unsound, resting neither in reason or principles of common humanity. Both of these great lights even in their day took the well drawn distinction between the duty of a Judge and of counsel. The former was bound simply to pursue the truth of the cause, and while the latter, out of humanity, was permitted to urge what was only its semblance. Cicero de Off. lib. 36, 14.

But without stopping to criticise the right of an advocate to urge, under any circumstances, the mere semblance of truth, it is enough to say that our bill of rights, article 1, section 9, Constitution of Tennessee, has given to the accused the right to be heard, both by *himself and his counsel*. The broad language of the section is: "That in all criminal prosecutions the accused hath a right to be heard by *himself and his counsel;* to demand the nature and the cause of the accusation against him, and to have a copy thereof; to meet the witness face to face; to have compulsory process for obtaining witnesses in his favor; and in prosecutions by indictment or presentment, a speedy public trial, by an impartial jury of the country or district in which the crime shall have been committed; and shall not be compelled to give evidence against himself."

Following the principles of this humane and just provision of the bill of rights, which, in some degree is in conformity to the more modern principles of the common law, this court, in the case of Andrews vs. the State, 2 Sneed, 550, said: "In criminal cases of the grade of felony, where the life or liberty of the accused is in peril, he has the right to be present, and must be present during the trial, and until the final judgment. If he be absent, either in prison or by escape, there is want of jurisdiction over the person to proceed with the trial, or to receive the verdict or to pronounce the final judgment." Clark vs. the State, 4 Hum., 254; Hawk P. C., 619; C. & Lit., 287; Raymond 193; 2 Hale 300; 4 Black's Com., 395; Bacon's Al., verdict, B, 1 Chitty's Crim. Law, 636; to which may be added Wharton's Am. Crim. Law, 919; 1 Chitty's Crim. Law, 418; Jacob's vs Cone, 5 Serg. & R., 335; 2 Hale, 216; and the State vs. France, 1 Tenn.

But the argument is, that in the case now under consideration, the counsel of the prisoner was present when the court restated the substance of his instruction to the jury, and this answered both the requirements of the bill of rights and the authorities relied on by the opposing counsel. We cannot concur in this proposition. The presence of the counsel of the accused alone does not meet either the letter or the spirit of the bill of rights, or the authorities above quoted. The prisoner has the right to be heard, both "by himself and his counsel;" and that, too, during the entire trial. It is not enough that he meets the witnesses "face to face," and is permitted to be present at the argument of his cause. The right is guaranteed to him to conduct his own defense, or to aid his chosen counsel in doing so, and to be present as well when the charge of the court is delivered to the jury, as when their verdict is returned into open court. When the trial is once begun, it is not strictly ended until the verdict of the jury is delivered and received by the court and final judgment pronounced thereon.

It is true the prisoner need not remain in court during the retirement of the jury to consider their verdict, but if they voluntarily return to deliver their verdict, the court has no power to receive it in the absence of the prisoner; and if it be received for want of jurisdiction, it is a nullity. Andrews vs. the State, 2 Sneed 550; so, also, it is the prisoner's right, if, after the original charge has been delivered and the jury has retired to consider of their verdict, the court recalls them to charge, or to alter or modify it in any respect, to be present and witness whatever is done in court touching his trial; and with equal reason and authority, he has the right to be present when the jury, without being recalled, voluntarily returns into open court, and asks for further instructions, or even for a restatement of the original charge. In either event his life or liberty may be effected by it, and he has the constitutional right to be personally present, and to guard both by all the forms of law that he can make availing in his favor.

Without this salutary rule, cases might be supposed in which the grossest injustice might be done to the prisoner. Counsel, like Judges, are but men, and subject to all the frailties, passions and prejudices of human nature, and in cases of great enormity, eliciting high popular feeling or unbounded family pride, the chosen counsel of the prisoners might, through fear or other cause, in the absence of his client, be thrown off his guard, and suffer remarks to pass from the court to the jury, without exception, which would prove fatal to the prisoner. It would be far otherwise were the prisoner present in the enjoyment of his constitutional rights, stimulated by the perils of his situation. He is presumed, by the common interests of his nature, to be alive to his interest, and ready to catch every improper remark that might by accident, or otherwise, fall from the court. And again, in the event the prisoner elected, as he has the unquestioned right to do, to conduct his own defense either in whole or in part, the rule in such a case insisted on by the State, would be utterly impracticable and absurd, for he could not be absent as a prisoner and present as counsel at the same time. In any aspect in which it can be viewed, the rule admitting the personal presence of the prisoner throughout his entire trial, is too sacred to human life and liberty to be relaxed.

It follows, therefore, that the court erred in restating the substance of a portion of his charge in the absence of the prisoner, for which the judgment and sentence of the court must be reversed, and a new trial granted.

MILLIGAN, Judge.

The latest gift enterprise scheme is one just started in Buffalo, the following being a copy of the ticket: "Raffle for the wife of Thomas Doyle, at Wolf's Hall, Court street, on Monday, March 22, 1868. This woman is a good housekeeper, and is willing to stay with any one who may draw her. Tickets, twenty-five cents."

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mh11 W. J. ROSS, General Superintendent.

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LEGAL.

Attachment Suit.

Municipal Court of the City of Memphis—Clerk's Office March 9 1868—No 1485, A. [illegible]—C. T. Ames and Mary Ames, Plaintiffs, vs Haight & Chambers, Defendants.

AFFIDAVIT for attachment having been made in this case in pursuance of section 3455 of the Code of Tennessee, and attachment having been issued and returned by the proper officer, "levied," etc., on the property of the defendants Haight & Chambers; it is therefore ordered, that said defendants appear at the Municipal Court Room in the city of Memphis, Tennessee, on or before the first Tuesday in April next, and defend this suit or the same will be taken for confessed as to them and the case set for hearing ex parte, and that a copy of this order be published once a week for four consecutive weeks in the Memphis Avalanche.

A copy. L. B. EATON, Clerk.
S. D. THOMPSON, D. C.
HAYNES, STOCKTON & HART, Attorneys for Plaintiffs. mh14

No. 2602—N. R. D.—In the Chancery Court of Memphis, Tennessee—Robert W. Scruggs, Administrator of Maria Scruggs, deceased, vs. Henry P. Bridges et al.

IT appearing from affidavit in this cause that the defendants Henry P. Bridges and wife Letitia M., (formerly Letitia M. Scruggs,) William A. Scruggs, Penelope Scruggs, John T. Scruggs, (the last three minors) children of Robt. L. Scruggs, deceased, who was a son of the said Maria Scruggs, deceased, and Howard Bridges and wife Mary E., (formerly Mary E. Ford,) all residents of Mississippi; and H. M. Woodson and wife Maria L., (formerly Maria L. Ford,) the said Mary E. and Maria L. being children of Amanda M. Ford, dec'd, who was the daughter of said Maria Scruggs, deceased; and Lewis Brown and wife Mary E. (formerly Mary E. Keys), John Keys, Sidney Keys, Bettie Keys and James Keys, (the last four minors) children of Mary E. Keys, deceased, who was a daughter of said Maria Scruggs, deceased; and Frank Hayley and wife Laura Hayley (formerly Laura Ford,) — Thompson and wife Fannie Thompson, (formerly Fannie Ford) — Slater and wife Maria Slater, (formerly Maria Ford,) Charles Ford, James P. Ford, (last a minor,) children of Milton B. Ford, who was a daughter of said Maria Scruggs, deceased, all then residents of Arkansas; and all of said defendants non-residents of the State of Tennessee: it is therefore ordered, that they make their appearance herein at the Court House in the city of Memphis, Tennessee, on or before the first Monday in April, 1868, and plead, answer or demur to complainant's bill, or the same will be taken for confessed as to them and set for hearing ex parte, and that a copy of this order be published once a week for four successive weeks in the Memphis Avalanche.

A copy Attest. AUGUSTON ALSTON, Clerk and Master.
By R. J. BLACK, Deputy C. & M.
FINLAY & KELLAR, Solicitors for Complainant. mh4

Administrator's Settlement in County Court of Shelby County.

To the Heirs and Creditors of Jonathan Faulks, deceased.

NOTICE is hereby given that I have filed my settlement of the estate of said Jonathan Faulks, deceased, with the Clerk of said Court, and that I will apply for confirmation of said settlement at the April term, 1868, of said Court, to be held on the first Monday of said month in the Courthouse in the city of Memphis.

JOHN LOAGUE, Clerk. W. A. COTHRAN, Administrator.
By BERNARD COLL, D. C.
Printer paid $5. feb28

County Court Sale of Land.

Charles S. Slater vs. Robert Slater et al., minor heirs at law of Sarah Slater, deceased, and T. P. Slater, their guardian, Petition for Sale of Land for Division.

BY virtue of a decree made by the County Court of Shelby county, Tennessee, in the above entitled cause at the February term, 1868, thereof, I will proceed to sell before the Court House door, in the city of Memphis, to the highest and best bidder, on

Saturday, March 28, 1868.

Between the hours of ten o'clock a.m. and four p.m., the following described tract of land, lying in Shelby county, Tennessee, in the First Civil District, and bounded as follows: Beginning at a stake 17 links west of a hickory marked as a corner Benjamin Herald's north west corner of his 100 acre tract; thence west 34 chains 15 links to a stake at the end of a lane on the south side of the Randolph road, twenty-two links west of a red oak pointer; thence south with said land 13 chains 50 links to a stake and red oak bush pointer; thence east 17 chains 15 links to a stake in the field; thence south 2 chains 56 links to a stake with post oak and dogwood pointers; thence east 17 chains 2 links to a stake in said Herald's west boundary line; thence north with said line to the beginning; containing fifty acres, more or less.

TERMS OF SALE—One half (½) cash; on the balance a credit until the 1st day of January, 1869—the deferred payment to be secured by note with two good personal security, which shall be a lien on the land until the whole amount is paid.

JOHN LOAGUE, Clerk.
By BERNARD COLL, D. C.
FINLAY & KELLAR, Solicitors. feb27

To the Distributees of Wyatt Moye, Deceased.

NOTICE is hereby given to the distributees and parties interested in the estate of Wyatt Moye, deceased, their agents, attorneys and proper representatives, that I have filed my petition in the county Court of Shelby county, Tennessee, to resign my administration of said estate; and, in pursuance of the order of said Court, I now give notice that on the second Monday in April next, at the Court House in Memphis, I shall present said petition and ask to have my accounts passed and my resignation accepted. The distributees may be present on that day, or as soon thereafter as the court will reach and take up the matter, and take such action as they may see proper.

ROBERT S. ADAMS,
mh17 Administrator of Wyatt Moye, deceased.

Notice.

ON the 30th of March, 1868, at the Court House door of the Circuit Court of Memphis, Tennessee, by virtue of an execution directed to me from said Court, at the January term, 1868 between the hours of ten a.m. and four p.m., I will sell for cash, to the highest bidder, the following lot of land, being in this county, Tenth Civil District, in the town of Collierville; said lot is bounded on the east by Mr. M. H. Hiley's and G. H. Davis' lot; on the north by the Methodist Church lot; on the west by the land of R. W. Ramsey; on the south by the Winchester State line road; containing one acre, more or less. Levied on as the property of James B. Abington, to satisfy an execution in favor of W. H. Jamison vs. H. A. Abington and James B. Abington. Said place is now the residence of James B. Abington. This 7th of March, 1868.

P. M. WINTERS, Sheriff of Shelby county.
By B. CASH, Deputy Sheriff. mh10

No. 2578—N. R. D.—In the Chancery Court of Memphis, Tennessee—Insolvent and Creditor's Notice—John Hallum, Administrator, de bonis non, of the estate of James H. Markham deceased, vs. John H. Holt and wife et al.

IN this cause the insolvency of the estate of James H. Markham, deceased, has been suggested, the creditors thereof made parties defendant to this suit whose names and places of residence are unknown, and an order entered directing publication to be made; it is therefore ordered, that they make their appearance herein at the Court House in the city of Memphis, Tennessee on or before the first Monday in June, 1868, and file and establish their claims against said estate, or the same will be forever barred and the cause set for hearing ex parte; and that a copy of this order be published once a week for three months in the Memphis Avalanche.

A copy—Attest. AUGUSTON ALSTON, Clerk and Master.
By R. J. BLACK, Deputy C. & M.
HALLUM, CHALMERS & TURLEY, Solicitors for complainant. mh3

Attachment Suit.

Harrison Jones vs. Jefferson Haskin.

AFFIDAVIT for attachment having been made in this cause in pursuance of section 3455 of the Code of Tennessee, and attachment having been issued and returned by the proper officer, "levied, etc.," on the property of the defendant; it is therefore ordered, that said defendant appear at my office, in the city of Memphis, Tennessee, on or before the fourth day of April, 1868 and defend this suit, or the same will be taken as confessed and the case set for hearing ex parte, and that a copy of this order be published once a week for four successive weeks in the Memphis Avalanche.

S. A. MOORE, J. P.
LOGWOOD & PEYTON, Attorneys for Plaintiff.
Printer paid $5. mh7

No. 2561—In the Chancery Court of Memphis, Tennessee—Wm. Orgill, Edmund Orgill, G. L. Denison and A. S. McNear, firm of Orgill Brothers & Co., vs. L. F. Beech, — Dass, firm of Beech & Dass, et al.

IT appearing from affidavit in this cause that the defendants Beech & Dass are non-residents of the State of Tennessee;

It is therefore ordered, that they make their appearance herein at the Court House in the city of Memphis, Tennessee, on or before the first Monday in April, 1868, and plead, answer or demur to complainants' bill, or the same will be taken for confessed as to them and set for hearing ex parte, and that a copy of this order be published once a week for four successive weeks in the Memphis Avalanche.

A copy—Attest. AUGUSTON ALSTON, Clerk and Master.
By R. J. BLACK, Deputy D. C. & M.
GANTT, WADDELL & McDOWELL, Sols. for Complainants. mh6

Administrator's Notice.

HAVING qualified as administrator de bonis non upon the estate of C. B. Seward, deceased, at the February term of the County Court of Shelby county, Tennessee, all persons holding claims against said estate are hereby notified to present the same to me for payment, within the time prescribed by law; and all persons indebted to said estate will make immediate settlement of said indebtedness, or else said indebtedness will be sued upon. All persons holding claims against said estate and all persons owing it, will present their claims and settle with me, at my residence in Ninth Civil District of Shelby county.

I. M. BROOKS, Administrator.
LOGWOOD & PEYTON, Attorneys. mh5

In the Circuit Court of Shelby County—Mary Elizabeth Carter vs. James Edward Carter.

IT appearing from affidavit in this cause that the defendant James Edward Carter is a non resident of the state of Tennessee;

It is therefore ordered that he make his appearance herein, at the Court House in the city of Memphis, Tennessee, on or before the first three days of the next term of the Circuit Court, to be held on the fourth Monday in May, 1868 and plead, answer or demur to complainant's bill or the same will be taken for confessed, as to him, and set for hearing ex parte, and that a copy of this order be published once a week, for four successive weeks, in the Memphis Avalanche.

A copy—Attest. M. D. L. STEWART, Clerk.
T. W. BROWN and M. B. TREZEVANT, Sols. for complainant. mh10

Creditor's Notice.

No. 2433—N. R. D.—In the Chancery Court of Memphis—W. N. Wilkerson et al., vs. the Franklin Insurance Banking Company et al.

IN this cause, upon motion and in conformity to the prayer of the bill, it is ordered by the Court that all persons claiming to be creditors or having any character of demands against the "Franklin Insurance and Banking Company of Memphis," shall immediately come into this Court and have themselves made parties to this suit, and file their claims with the Clerk and Master, with proper evidence of the same, that they may severally recover their ratable share of the assets of said Company, to be distributed in this cause; and that a copy of this order be published in the Memphis Daily Appeal and Avalanche for three (3) months from this date. March 11, 1868.

A copy—Attest. AUGUSTON ALSTON, Clerk and Master.
By R. J. BLACK, Deputy C. & M.
ESTES, JACKSON, McDAVITT and E. BURKE PICKETT, Sols. mh11

No. 2601—In the Chancery Court of Memphis, Tennessee—H. A. Montgomery vs. Samuel P. Walker et al.

IT appearing from affidavit in this cause that the defendant Lucy W. Polk is a resident of the State of North Carolina, and a non-resident of the State of Tennessee and James K. Polk, Wm. H. Polk and Tasca Polk are defendants whose place of residence is unknown;

It is therefore ordered that they make their appearance herein at the Court House in the city of Memphis, Tenn., on or before the first Monday in April, 1868, and plead, answer or demur to complainant's bill, or the same will be taken for confessed as to them and set for hearing ex parte, and that a copy of this order be published once a week for four successive weeks in the Memphis Avalanche.

A copy—Attest. AUGUSTON ALSTON, Clerk and Master.
By R. J. BLACK, Deputy C. & M.
McREA & WALKER, solicitors for complainant. mh5

Attachment Notice.

J. W. Ledbetter vs. J. H. Friedsell. Before J. S. Black, J. P.

THE defendant in the above cause will take notice that an attachment has been sued out against him upon the grounds that he is a non-resident of the State of Tennessee, and returned by the proper officer, "levied," etc., and the case set for hearing on the [illegible] day of April, 1868, at ten o'clock a.m., at my office in the city of Memphis, when and where he can appear and defend said action, or the case will be proceeded with ex parte, as to him, and that a copy of this order be published once a week for four successive weeks in the Memphis Daily Avalanche. Memphis, March 9, 1868.

J. S. BLACK, J. P. mh10

Attachment Suit.

Law Court of Memphis—Clerk's Office, March 14, 1868—No [illegible], A. D.—Galbreath, Stewart & Co., Plaintiffs, vs. W. B. [illegible], Defendant. Attachment Suit.

AFFIDAVIT for attachment having been made in this case in pursuance of section 3455 of the Code of Tennessee, and attachment having been issued and returned by the proper officer, "levied," etc., on the property of the defendant, W. B. [illegible]; it is therefore ordered, that said defendant appear at the Court House in the city of Memphis, Tennessee, on or before the second Monday in June next, and defend this suit, or the same will be taken for confessed as to him and the case set for hearing ex parte, and that a copy of this order be published once a week for four consecutive weeks in the Memphis Avalanche.

JOHN DONOVAN, Clerk.
JOHN W. GRAHAM, D. C.
WRIGHT, McKISSICK & WRIGHT, Attorneys for Plaintiffs. mh15

Executor's Settlement in County Court of Shelby County.

To the Heirs and Creditors of J. C. Butler, deceased.

NOTICE is hereby given, that I have filed my settlement of the estate of J. C. Butler, deceased, with the Clerk of said Court, and that I will apply for confirmation of said settlement at the April term, 1868, of said Court, to be held on the first Monday of said month in the Court House in the city of Memphis.

LEGAL.

Trustee's Sale.

BY virtue of the power in me vested in a deed of trust executed on the 14th day of May, 1867, by Andrew J. Dowd, of Coahoma county, Miss., to me, as trustee, to secure to Messrs. Galbreath, Stewart & Co., of Memphis, Tennessee, the payment of certain debts and liabilities of the said Dowd therein mentioned, I will proceed to sell to the highest bidder, for cash,

On Monday, the 13th day of April 1868.

On the premises, the following real and personal property, to-wit: The said Dowd's plantation in Coahoma county, Miss., situated on Moon Lake, whereon the said Dowd now resides, and containing thirteen (1300) hundred acres, more or less, the same being all the lands owned by the said Dowd in the said county, with all tenements, hereditaments and appurtenances. I will at the same time, and on the same terms, offer for sale about forty (40) mules, together with a lot of cows, calves and dry cattle, about fifty (50) head; also, all the farming utensils, wagons, gear, etc., all the property of the said Dowd; also, a large lot of corn on the place. The title to the said real and personal property is believed to be good, but I simply sell and convey as trustee aforesaid.

mh14 T. N. JOHNSTON, Trustee.

Insolvent Notice.

In the County Court of Shelby county, Tennessee—In re est. D. Weeks, deceased.

HAVING suggested the insolvency of the estate of D. Weeks, deceased, to the Clerk of said Court, and received an order to this effect, I hereby notify all persons having claims against said estate to appear before the County Court Clerk and file the same, authenticated in the manner prescribed by law, on or before the 10th day of September 1868: any claims not filed on or before said day, or before an appropriation of the funds of said estate is made, shall be forever barred, both in law and equity.

F. SMITH, Administrator of D. Weeks, deceased.
Printer's fee paid. mh11

Administrator's Settlement in County Court of Shelby County.

To the Heirs and Creditors of Abner D. Thomas, deceased.

NOTICE is hereby given that I have filed my settlement of the estate of said A. D. Thomas, dec'd, with the Clerk of said Court, and that I will apply for confirmation of said settlement at the April term, 1868, of said Court, to be held on the first Monday of said month in the Court House in the city of Memphis.

JOHN LOAGUE, Clerk. W. A. COTHRAN, Administrator.
By BERNARD COLL, D. C.
Printer paid $5. feb28

No. 2528—O. R. D.—In the Chancery Court of Memphis, Tennessee—A. Munn vs. A. H. Douglass, G. A. Dowell et al.

IT appearing from affidavit in this cause that the defendant George A. Dowell is a non-resident of Tennessee; it is therefore ordered, that he make his appearance herein at the Court House in the city of Memphis, Tennessee, on or before the first Monday in April, 1868, and plead, answer or demur to complainant's bill of revivor, or the same will be taken for confessed as to him and set for hearing ex parte; and that a copy of this order be published once a week for four successive weeks in the Memphis Avalanche.

A copy—Attest. AUGUSTON ALSTON, Clerk and Master.
FINLAY & KELLAR, Sols. for Complainant. mh1

In the Circuit Court of Shelby County—Petition for Divorce—Cordelia Arnold vs. Richard Arnold.

IT appearing from affidavit in this cause that the defendant Richard Arnold is a non-resident of the State of Tennessee; it is therefore ordered that he make his appearance herein at the Court House in the city of Memphis, Tennessee, on the fourth Monday in May, 1868, and plead, answer or demur to complainant's bill, or the same will be taken for confessed as to him and set for hearing ex parte, and that a copy of this order be published once a week for four successive weeks in the Memphis Avalanche.

A copy—attest. M. D. L. STEWART, Clerk.
By B. F. COLEMAN, D. C.
HALLUM, CHALMERS & TURLEY, Sols. for Complainant. mh3

Attachment Notice.

Jameson & Brother vs. James M. Warren.

THE defendant in this case will take notice, that an attachment has been sued out against him, upon the grounds that he is a non-resident of the State of Tennessee, and returned by the Proper officer, levied, etc., and the case set for hearing on the 2d day of April, 1868, at ten o'clock a.m., at my office in the city of Memphis, when and where he can appear and defend said action, or the case will be proceeded with ex parte; and that a copy of this order be published once a week for four weeks in the Memphis Daily Avalanche.

mh3 R. H. GLISSON, J. P.

Attachment Suit.

George Mackey & Co. vs. Wm. D. Jones.

AFFIDAVIT for attachment having been made in this cause, in pursuance of section 3455 of the Code of Tennessee, and attachment having been issued and returned by the proper officer, "levied," etc., on the property of the defendant; it is therefore ordered that said defendant appear at my office in the city of Memphis, Tennessee, on or before the 11th day of April, 1868 and defend this suit, or the same will be taken as confessed and the case set for hearing ex parte; and that a copy of this order be published once a week for four successive weeks in the Memphis Avalanche.

mh13 (Signed) S. A. MOORE, J. P.

Attachment Suit.

B. C. Iiams vs W. G. Richards. Before S. A. Moore, J. P.

AFFIDAVIT for attachment having been made in this case in pursuance of section 3455 of the Code of Tennessee, and attachment having been issued and returned by the proper officer "levied, etc.," on the property of the defendant, it is therefore ordered that the said defendant appear at my office in the city of Memphis, Tennessee, on or before the 30th day of March, 1868, and defend this suit, or the same will be taken for confessed and the case set for hearing ex parte, and that a copy of this order be published once a week for four consecutive weeks in the Memphis Avalanche.

Printer's fee $5, paid. S. A. MOORE, J. P. mh1

Trustee's Sale.

IN pursuance of a deed in trust, executed to me by Theodore Frank on the 17th day of July, 1867, and recorded in the Register's office of Shelby county, Tennessee, in book No. 62, pages 85, 86 and 87, I will,

On the 7th day of April, 1868, at 10 o'clock a.m.,

Proceed to sell to the highest bidder, for cash, at the salesroom of Royster & Trezevant, auctioneers, 276 Second street, in the city of Memphis, Tennessee, all the right, title, claim and interest of the said Frank, in and to the following described lot or parcel of land, situate in said county and State, beginning on the southwest corner of Spring and Middle streets, running westward with the line of Spring street sixty feet; thence south parallel with Middle street one hundred and sixty feet; thence eastward parallel with Spring street sixty feet to the west line of Middle street; thence north with Middle street one hundred and sixty feet to the beginning; said lot being part of the Dudley Dunn division, and part of lot No 23 of the original numbers of said subdivision. Said lot to be sold to secure Dudley [illegible] Dulove in the sum of $600, as evidenced by two promissory notes for $300 each, due respectively January 15 and March 15, 1868. The equity of redemption of said lot is waived by said Frank.

mh1 J. P. TREZEVANT, Trustee.

John M. Houze's Settlement in County Court of Shelby County.

To the Heirs and Creditors of James, Helen and Henson Gift.

NOTICE is hereby given that I have filed my settlement of the estate of said Wards with the Clerk of said Court, and that I will apply for confirmation of said settlement at the April term, 1868, of said Court, to be held on the first Monday of said month in the Court House in the city of Memphis.

JOHN LOAGUE, Clerk. JOHN M. HOUZE, Guardian.
By BERNARD COLL, Deputy Clerk. [illegible]

Guardian's Settlement in County Court of Shelby County.

To the Heirs and Creditors of Lucy Jane Wilson,

NOTICE is hereby given, that I have filed my settlement of the estate of the said Lucy Jane Wilson, with the Clerk of said Court and that I will apply for confirmation of said settlement at the April term, 1868, of said Court, to be held on the first Monday of said month in the Court House in the city of Memphis.

JOHN LOAGUE, Clerk. JOHN C. CALLIS, Guardian.
By BERNARD COLL, Deputy Clerk.
Printer paid $5. mh5

Administrator's Notice.

HAVING been qualified as administrator, with will annexed, of Jane Blair, deceased, all parties having claims against said estate are notified to file the same with me or with my attorney, J. A. Onley, properly authenticated, at once; and all parties indebted to the estate are notified to settle the same without delay.

W. L. BELL, Administrator.
ONLEY & DUVAL, Attorneys. mh7

Notice to Creditors.

No. 2521—Chancery Court of Memphis—John C. Lanier vs the Gayoso Savings Institution et al.

IT is ordered by the Court in this cause, that the creditors of the Gayoso Savings Institution do immediately come in and have themselves made parties to this suit, and file their claims with the Clerk and Master, with proper proof of the same, that they may receive their pro rata share of the assets of said Bank for distribution among the creditors; and that a copy of this order be published in the Memphis Appeal, Avalanche and Post, until the further orders of this Court.

A copy—Attest. AUGUSTON ALSTON, Clerk and Master.
By BENJ. COLMAN, Deputy C. & M. mh7

Chancery Sale of Real Estate,

On Monday, April 13, 1868.

No. 1665—N. R. D.—John Overton vs. R. H. Beith, Administrator, et al.

BY virtue of an interlocutory decree in this cause, I will sell at public auction, to the highest bidder at the Court House door in the city of Memphis, Tennessee, on Monday, April 13, 1868, between the hours of 10 a.m and 12 m., the following described real estate, to wit: Lot No. 164, in Overton addition to the city of Memphis, fronting northwardly on Webster street (120) one hundred and twenty feet and running back between parallel lines (170) one hundred and seventy feet to an alley. Terms of sale, cash. Equity of redemption barred.

mh13 A. ALSTON, Clerk and Master.

Trustees' Sale.

BY virtue of a deed of trust executed by W. P. Haines & Co., of Augusta, Ark., to Toof, Phillips & Co., of Memphis, Tenn., on the 4th day of June, A. D. 1867, and duly recorded in the Recorder's office in Woodruff county, Ark., in Mortgage Record Book A, pages 144, 145 and 146, we will sell at public outcry to the highest bidder, for cash in hand, at the Court House door in the city of Augusta and State of Arkansas,

On Tuesday, the 21st day of April, A. D. 1868,

Between the hours of ten a m and three p.m. of same day, the following described property, to satisfy said trust, viz.: seven bales of cotton, nine mules, six work oxen and one wagon.

F. M. MAHAN,
J. M. McCURDY,
Trustees.
mh14

Executor's Settlement in County Court of Shelby County.

To the Heirs and Creditors of Samuel Leake, deceased.

NOTICE is hereby given, that I have filed my settlement of the estate of Samuel Leake, deceased, with the Clerk of said Court, and that I will apply for confirmation of said settlement at the April term, 1868, of said Court, to be held on the first Monday of said month in the Court House in the city of Memphis.

JOHN LOAGUE, Clerk. V. LEAKE, Executor.
By BERNARD COLL, D. C.
Printer paid $5. mh14

Trust Sale

OF A FINE BRICK DWELLING, WITH TWO ACRES OF LAND, on Dunlap avenue. I will sell to the highest bidder,

On Saturday, 18th April, at 12 o'clock M.,

On the premises, Lots Nos. 12 and 13 of the Ragland Subdivision, situated on the west side of Dunlap avenue, containing about two acres of ground, on which is a handsome Two-story Brick Dwelling, in fine condition; also, twelve mules. The said property was conveyed to me in trust by E. D. Ragland on the 2d of February, 1867, to secure certain debts therein specified, and will be sold as above under the said trust. Terms made known at sale.

F. W. ROYSTER, Trustee.
ROYSTER, TREZEVANT & CO., Auctioneers. mh18

Attachment Suit.

Law Court of Memphis—Clerk's Office, March 14, 1868—No [illegible], A. D.—Galbreath, Stewart & Co., Plaintiffs, vs. J. Bunting, defendant. Attachment Suit.

AFFIDAVIT for attachment having been made in this case in pursuance of section 3455 of the Code of Tennessee, and attachment having been issued and returned by the proper officer "levied," etc., on the property of the defendant, J. Bunting; it is therefore ordered, that said defendant appear at the Court House in the city of Memphis, Tennessee, on or before the second Monday in June next, and defend this suit, or the same will be taken for confessed as to him and the case set for hearing ex parte; and that a copy of this order be published once a week for four consecutive weeks in the Memphis Avalanche.

A copy.
JOHN W. GRAHAM, D. C. JOHN DONOVAN, Clerk.
WRIGHT, McKISSICK & WRIGHT, Attorneys for Plaintiffs. mh15

Attachment Suit.

Law Court of the City of Memphis—Clerk's Office, March 14, 1868—No. 1174, A. D.—Attachment Suit—Galbreath, Stewart & Co, Plaintiffs, vs. Isaac Smith, Defendant.

AFFIDAVIT for attachment having been made in this case in pursuance of section 3455 of the Code of Tennessee, and attachment having been issued and returned by the proper officer, "levied," etc, on the property of the defendant Isaac Smith; it is therefore ordered, that said defendant appear at the Court House in the city of Memphis, Tennessee, on or before the second Monday in June next, and defend this suit, or the same will be taken for confessed as to him and the case set for hearing ex parte, and that a copy of this order be published once a week for four consecutive weeks in the Memphis Avalanche.

A copy. JOHN DONOVAN, Clerk.

LEGAL

Attachment Suit.

Law Court of the City of Memphis—Clerk's Office, March 4 1868—No. 1184—Attachment suit—Galbreath, Stewart & Co. Plaintiffs, vs W. J. Rogers, Defendant.

AFFIDAVIT for Attachment having been made in this case in pursuance of section 3455 of the Code of Tennessee, and Attachment having been issued and returned by the proper officer, "Levied," etc., on the property of the defendant, W. J. Rogers, it is therefore ordered, that said defendant appear at the Court House in the city of Memphis, Tennessee, on or before the second Monday in June next, and defend this suit, or the same will be taken for confessed as to him, and the case set for hearing ex parte, and that a copy of this order be published once a week for four consecutive weeks in the Memphis Avalanche.

A copy: JOHN DONOVAN, Clerk.
JOHN W. GRAHAM, D. C.
WRIGHT, McKISSICK & WRIGHT, Attorneys for Plaintiffs.
mh15

COAL.

PITTSBURG
C
O 233 1-2 **A**
L.

I HAVE removed my office to 233 1-2 Main street, next to the Clay Building, where I am prepared to fill, with No. 1 PITTSBURG COAL, all orders with which I may be favored.
ja1 H. B. PACKER, Coal Dealer.

FIRST ARRIVAL OF
FRESH PITTSBURG COAL
FOR THE
HAYS COAL COMPANY,

SUCCESSORS TO BRIGGS & PETERSON, Wholesale and Retail dealers in BEST PITTSBURG COAL, from the Hays Mines, first pool, Monongahela river.

Office, 287 Main Street, 2d door North of Madison. mh16

Buffalo Gnat Oil.

LOOK out for Gnats. Kill them quick, by getting GNAT OIL of the undersigned; prepared expressly. Also, Coal Oils, very best, and all articles in our line.
mh22 O. F. PRESCOTT & CO., 40 Jefferson street.

FASHIONABLE
Boot and Shoemakers
LINKHAUER & BRO. Agents.

THIS well known firm is now located at 281½ Second street between South Court and Madison, opposite the [illegible]man Block.

NEW SEED STORE!
R. D. WARD & CO.,
Wholesale and Retail Dealers in
GARDEN AND FIELD SEED,
No. 232 Main Street,
Opposite Clay Building, MEMPHIS, TENN.
feb5

COTTONWOOD POINT, MISSOURI.

THE undersigned, having established a
Coaling Depot for Steamboats,
Begs leave to inform his steamboat friends that he has now a large supply of the celebrated
GRAND TOWER COAL,
Which he will keep constantly on hand, in boxes and barges, for towing, day and night. Every facility for towing.
mh5-1m CAPTAIN JERRY COATS.

OFFICIAL.

Notice.

ALL persons holding the Scrip or other evidence of indebtedness of the Board of Visitors of the Memphis City Schools are hereby requested to present the same to the Secretary of the Board for indorsement; and after this date scrip not thus indorsed will not be received in payment of taxes or otherwise. The same to be indorsed during the next twenty days at No. 29 Second street. Office hours from three to five p.m.

By order of the Board of Visitors of the Memphis City Schools.
mh26 F. J. ATWELL, Secretary.

Notice.

ALL owners of Real Estate upon Jefferson street, Charleston avenue and Old Madison street, are notified that unless their accounts for paving are paid within THIRTY DAYS, suits will be brought against them.

These accounts can NOW be paid in city scrip or other due indebtedness of the city. Payment to be made to the Tax Collector.
mh22 R. J. M. ROAN, City Attorney.

THE FINLEY
CHURN DASHER!

THE SIMPLEST.
THE CHEAPEST.
THE BEST.

THREE DOLLARS.
SOLD EVERYWHERE AT ONE PRICE
GUARANTEED.

5,000 AGENTS MORE WANTED!

AGENCIES granted by Counties or States.
Call and see us or write for particulars, (with stamp.)
DASHER sent to any address on receipt of price.
Price everywhere invariably Three Dollars Cash.
The FINLEY CHURN DASHER is simple, cheap, popular.
The old Dasher BREAKS or SLASHES the cream to pieces.
The FINLEY DASHER CUTS the cream to pieces.
The old Dasher makes but TWO agitations of the cream at each up and down motion.
The FINLEY DASHER makes from TEN to FIFTEEN agitations at each up and down motion.
The old Dasher CANNOT supply the requisite amount of air
The FINLEY DASHER DOES introduce large and constant supplies of fresh air.
The old Dasher leaves from ONE-FOURTH to ONE-THIRD of the butter in the cream, because it CANNOT remove it.
The FINLEY DASHER takes ALL the butter out of the cream, and therefore ONE-FOURTH to ONE-THIRD more than the old Dasher.
The old Dasher requires the hard work of a HALF to ONE HOUR. The FINLEY DASHER WILL DO THE SAME WORK in from FIVE to FIFTEEN minutes.
The old Dasher consumes TWENTY to TWENTY-SIX HOURS EACH MONTH in churning. The FINLEY DASHER does the same work in LESS THAN FIVE HOURS and with GAIN in QUANTITY of butter sufficient to buy TWO FINLEY DASHERS at three dollars each.
The FINLEY DASHER can be SO EASILY CLEANED—made "bright as a spoon," and WILL RETAIN ITS SWEETNESS, so essential to good milk and butter.
The FINLEY DASHER gives to the butter a decidedly firm, "waxy," "grainy" appearance—better for table, with more in the market.
The FINLEY DASHER, in the latter respect has the advantage over all Crank or Rotary Churns—THEY TAKE THE GRAIN OUT OF THE BUTTER AND LEAVE IT FLAT.
The FINLEY DASHER will last a life time if not abused.
The FINLEY DASHER is adapted to "old fashioned churns."
ANY ONE can use the FINLEY DASHER—so simple.
The FINLEY DASHER is being used over the greater portion of Middle and West Tennessee, North and Central Mississippi, Kentucky, Arkansas, Texas, Alabama, Missouri, Kansas, Iowa, Illinois, Ohio and Western New York, with the very greatest satisfaction.

5,000 AGENTS MORE WANTED!

Small or large territory—Counties or States. Terms liberal. Always ready to give information to those desiring agencies. All west of longitude 27° west at a great bargain to right party.
Headquarters at S. S. LLOYD'S CHINA HALL, 21 Main street Memphis.
W. H. CROCKETT, Retail Agent for city of Memphis and Shelby county.
J. A. CAMERON & CO.,
General Agents for United States.
mh8 21 Main street Memphis, Tenn.

R. G. CRAIG & CO. SEEDSMEN,
379 Main Street, Memphis, Tenn.

Grass Seed,
Garden Seed,
Stock Peas,
Fresh and genuine at CRAIG'S SEED STORE, 379 Main Street.

Garden Seed,
Grass Seed,
Stock Peas,

Fertilizers,
Garden Implements,

Fertilizers,
Garden Implements,
At CRAIG'S SEED STORE,
3 Main street Jackson Block, Memphis, Tenn.

Diseases of the Eye.

DR. KEYSAR, late a pupil of Professor V. Graefe, in Berlin has established his office at [illegible]

PROFESSIONAL CARDS.

JOHN HALLUM, J. B. CHALMERS, T. B. TURLEY
HALLUM, CHALMERS & TURLEY
ATTORNEYS AT LAW,
feb2 Madam Vincent's Building, East Side Court Square, Memphis, Tennessee.

WM. L. DUFF,
Attorney at Law,
368 Main Street, Up Stairs, Memphis, Tenn.
feb2

WM. L. HARRIS HENRY T. ELLETT, JAS. PHELAN
HARRIS, ELLETT & PHELAN,
Attorneys at Law,
MEMPHIS TENNESSEE.
Office—Monroe Street, between Main and Second.

Col. DUNCAN K. McRAE. SAM. P. WALKER, Jr.
McRAE & WALKER,
Attorneys and Counsellors at Law
BETHEL BLOCK,
Corner [illegible] and Court Streets, (up stairs,)
oc6 MEMPHIS, TENNESSEE.

DR. J. M. KELLER,
OFFICE, JEFFERSON STREET, in Avalanche Editorial Rooms.
Residence at General Hospital.

P. T. & E. R. SCRUGGS,
ATTORNEYS AT LAW, Memphis, Tenn. Office, No. 53 Union street, in front of the new Court House. ja21

J. W. HAMPTON, Formerly of Washington, D. C. THOMAS P. CHAMBERS of Mississippi.
HAMPTON & CHAMBERS,
Attorneys at Law,
OFFICE WITH FINLAY & KELLAR,
No. 42 Madison Street, Memphis, Tenn.

WILL practice in the Courts of West Tennessee, and also in the Circuit Court of the seventh Judicial District of Mississippi, composed of the counties of Tunica, Coahoma, Bolivar, Washington, Issaquena and Warren.
feb9

Dental Notice.

DR. C. L. BLAIR, Dentist, can be found at the old stand No. 217, corner of Second and Adams streets, front room, up stairs.
feb16

HOTELS.

COMMERCIAL HOTEL
Re-Opened,
Corner Jefferson and Front Streets.

THIS well known and popular Hotel has been refitted and newly furnished throughout, and will open

On Thursday, March 5th, 1868,

For the reception of guests. The table will be supplied with the best the market affords. The caterer, MR. J. M. J. REYNOLDS, the well and favorably known steward, formerly of this city, but more recently of the Exchange Hotel, of Richmond, Va., will be on hand, with a corps of attentive waiters, to supply the inner man. We pledge ourselves to make our guests comfortable and at home, and have the old Commercial again redeem its character as one of the best Hotels in the city.

Schedule of Prices:
Day Board—per month $30 00
Board and Lodging—per week 12 00
Transient Guests—per day 2 50

Captain B. D. CASTLEMAN will be found in the Office at all times.
mh4 ALLEN BROTHERS, Managers.

CENTRAL HOTEL,
No. 63 Adams Street,
Memphis, Tennessee.

THIS HOUSE, formerly known as the "Hardwick," has changed proprietors, and is now opened to the traveling public in neat and perfect order. The fare is as good and well prepared as any hotel in the city; the bedrooms comfortable. Location most desirable, being about the center of the city. Our prices have been reduced to the following rates:

Board, per day $2 50
Board and Lodging, per week 12 00
Board and Lodging per month 45 00
Day Board, per week 8 00
Day Board, per month 30 00

Polite and attentive waiters in attendance, both day and night.
MEDLIN, RUTLEDGE & CO.

ST. JAMES HOTEL,
NEW ORLEANS.

PROPRIETORS:
W. A. HURD, New Orleans, W. F. CORKERY, Lately and during the War proprietor of the "Spottswood Hotel," Richmond Va., and formerly of the famous Mississippi river steamer, "Mary E. Keene."

Board Reduced to Three Dollars per day
Telegraph and Railroad Ticket Offices in Hotel Rotunda.
feb12

CHARLESTON HOTEL,
Charleston, S. C.

THE undersigned, respectfully informs his friends and the traveling public, that he has taken charge of the above well known FIRST-CLASS HOTEL, and refurnished and refitted it, in all its departments

The celebrated ARTESIAN WATER BATHS, Hot, Cold and Shower, at all hours.

Coaches run to and from all Railroads and Steamers with attentive Porters. The patronage of the traveling public is respectfully solicited.

ja29 J. P. HORBACH, Agent, Proprietor.

Copartnership.

THE undersigned having, on the 20th instant, purchased from Colonel L. A. Pratt the lease, furniture, fixtures, etc., of the Spencer House, have formed a copartnership under the firm name of Brown & Sweeny, for the purpose of conducting the business of said house, respectfully solicit the patronage of the public.

Cincinnati, February 27, 1868. H. H. BROWN, MERIT SWEENY.
mh1

To the Public.

HAVING disposed of the lease, furniture, fixtures and stock of the Spencer House to Captain H. H. Brown and Merit Sweeny, Esq., I most cheerfully recommend them to my old friends and acquaintances as gentlemen worthy their patronage and confidence.

Cincinnati, February 27, 1868 L. A. PRATT.
mh1

Goodall House,
63 Jefferson Street.

CENTRALLY LOCATED. Board and Lodging, $8 per week; Day Board, $6; Travelers, $1 50 per day. Meals at all hours, and table supplied with the best the market affords.
mh16

LEHNER HOUSE,
FORMERLY KNOWN AS THE ALLEN HOUSE,
Corner Washington & Second Streets.

THIS HOUSE having been newly furnished and painted, is now open for the reception of guests. First class Boarding and Lodging can be had at low rates.
mh1 L. LEHNER, Proprietor.

BANKS.

STOCK AND BONDS WANTED

MANHATTAN SAVINGS BANK,
Memphis, March 4, 1868.

I WILL pay the highest market price for the following securities, within thirty days: First and Second Mortgage Bonds and Coupons and Stock in

Mississippi Central Railroad Company,
Memphis and Charleston Railroad,
Mississippi and Tennessee Railroad,
Mobile and Ohio Railroad,
Memphis and Little Rock Railroad,
Memphis and Ohio Railroad Bonds,
N. O., Jackson and Great Northern R. R. Co.
Also, Memphis City and State Tennessee Bonds and Coupons.
mh5dw JACOB LEVY, President.

MERCHANTS' NATIONAL BANK
OF MEMPHIS,
No. 8 Jefferson Street.
Paid in Capital - - - - - $300,000
Authorized Capital - - - $1,000,000